

**TOWN OF ROCKPORT
ANNUAL TOWN MEETING
SATURDAY, APRIL 6, 2013
ROCKPORT HIGH SCHOOL**

The Annual Town Meeting convened immediately following the dissolution of the Special Town Meeting and started at 9:38AM.

MODERATOR: The Chair will entertain a motion to omit the reading of the Articles in the Warrant for the Annual Town Meeting. Moved, seconded and carried by voice vote.

Town Clerk Patricia Brown read the Officer's Return.

The Chair will entertain a motion under Article 1.

ARTICLE 1. To choose an agent for the various trust funds of the Town and to choose all other necessary Town Officers in such a manner as the Town may direct; or act on anything relative thereto.

LINDA SANDERS for Erin Battistelli, Chairman of the Board of Selectmen: I move that the Town designate the Treasurer to be the agent for the various trust funds for the Town.

Moved and seconded.

MODERATOR: All those in favor say aye. Opposed no.

The motion carries.

ARTICLE 2. To see if the Town will vote to rescind any one or more of the authorizations previously given to borrow funds for municipal purposes, excluding always, any and all authorizations that have been executed by a borrowing; or act on anything relative thereto.

There was no motion under Article 2.

The Chair will entertain a motion under Article 3.

ARTICLE 3. To see if the Town will vote to raise and appropriate a sum of money to pay unpaid bills of previous years; or act on anything relative thereto. (*requires 4/5 vote*)

LINDA SANDERS for Town Accountant Roberta Josephson: I move that the Town vote to raise and appropriate the sum of \$875.00 to pay a prior year bill to Systere Consulting for June network support services.

Moved and seconded. This requires a 4/5 vote and there is a summary explanation.

MODERATOR: You've heard the motion and since this requires a four/fifth vote, I'm going to ask everybody that is in favor to raise your hand, your placard. Any opposed.

That motion carries by more than 4/5s and the Moderator so declared it.

The Chair will entertain a motion under Article 4.

ARTICLE 4. To see if the Town will vote to amend or revise certain compensation schedules as set forth by the Rockport Personnel Board and on file in the Town Clerk's Office, which are incorporated herein by reference, namely:

- A. Compensation Schedules A through E and I for salaried employees; and
- B. Compensation Schedule F for elected officials;

or act on anything relative thereto. (*Personnel Board*)

LINDA SANDERS for David Kearns, Chairman of the Personnel Board: I move that the Town amend Compensation Schedules A through E and the Compensation Schedule I for salaried employees, as set forth in the proposals recommended by the Rockport Personnel Board and on file in the Town Clerk's Office, which are incorporated herein by reference.

Moved and seconded.

The Board of Selectmen supports this motion.

MODERATOR: You've heard the motion. All those in favor say aye. Opposed say no.

The motion carries.

LINDA SANDERS for David Kearns, Chairman of the Personnel Board: also moves that the Town amend Compensation Schedule F for Elected Officials, as set forth in the proposals recommended by the Rockport Personnel Board and on file in the Town Clerk's Office, which are incorporated herein by reference.

Moved and seconded.

MODERATOR: You've heard the motion. Any discussion? All those in favor say aye. Opposed no.

The motion carries.

The Chair will entertain a motion under Article 5.

ARTICLE 5. To see if the Town will vote to raise and appropriate, or transfer from available funds, sums of money for any or all Town expenses and purposes, including, without limiting the foregoing, debt and interest, out-of-state travel, wages and salaries, operation of the Town's departments and offices, and provide for a reserve fund, all for the Fiscal Year beginning on July 1, 2013 through June 30, 2014, inclusive; or act on anything relative thereto. (*Finance Committee*)

MIKE HUGHES, Finance Committee Chairman: Good morning. The Finance Committee's Report which outlines our expectations for revenues and our recommended expenditures for fiscal year 2014 begins on page 9 of the Voters Booklet. Specific budget recommendations begin on page 39. Last year the Finance Committee introduced a new structure for the Table of Estimates in Article 5 that reflected a fully allocated cost of labor, wages, pensions and benefits and debt services in the individual department operations. The effort proved valuable and helped residents, town employees and managers understand fully the cost of running the departments. This year they continue in the same spirit with a slightly modified format. We incorporated comments from the voters and changes that will make the motions more closely conform to mandated state laws and factors. Wages are presented in unburdened form, which means no benefits added to them. The cost of pensions, benefits and debt services for the individual departments are listed but are included in the 700 and 900 accounts for budgetary purposes. That's because they have to be paid out of those accounts. At this time uncertainties still exist as it is every year the state budget has not been finalized. We sometimes have an indication of what the changes the House of Representatives who make the Governor's proposed budget we do not have it this year. In addition to the predictable items we assume that we will receive about 1.7 million dollars in state aid. That state aid is based on the Governor's proposed budget. The geo-economic recovery that drive state and local revenues is still uncertain and its timing and impact could have a significant impact on local revenues. Health insurance expenses, which are projected to grow at a rate of 1 ¾% this year to 3.8 million dollars and retirement accounts which grow to 14.5% to 1.2 million dollars. Small changes in those two accounts can have a significant impact. Accordingly the budget guidelines for fiscal year 2014 introduced by the Board of Selectmen directed that no more than 1.5% increase in labor wages and no more than 1% increase in all other operating costs. Next year's tax rate will not be set until the fall town meeting when the state certifies the town's whole budget. Based upon the recommendation herein it will be necessary to raise \$19,187,835 through real estate taxation. This is \$49,628 more than fiscal 2013 but \$179,595 below the Proposition 2 ½ levy. So we're not taxing to the full levy. An increase of \$100,000 in any proposed expenditure equates to approximately a six cent increase in the tax rate. Using the current evaluation that was used for fiscal year 2013 (inaudible) five persons whose house was evaluated at \$500,000 would be paying \$139.00 more based on the recommendations. Rockport also has a large pent up demand for capital improvements: our buildings, infrastructure, for water, sewer, seawalls and roads. We need to prioritize those needs very carefully to insure that the critical projects are addressed in a timely manner. Finally our current estimates of

revenue balance and our recommended expenditures. The Finance Committee strongly recommends that any apparent surpluses be deferred to the town meeting when we'll have a better feel for the resolution of any uncertainties. Once again I'm pleased to say that we are entering our annual budget discussions in good financial shape. Our expenditures are under control our revenue forecasts are reasonable and conservative and we have adequate free cash and reserves which are also in good shape. Thank you.

MIKE HUGHES: I move that the Town appropriate the sum of \$25,019,948 for all items under column 5 of the Table of Estimates under Article 5 in the Town Meeting Voters Booklet, General Fund, all for the Fiscal Year July 1, 2013 through June 30, 2014, inclusive, and, as funding therefore, raise \$23,410,771 and transfer the following sums from the designated accounts for the purposes specified, namely,

- \$ 6,500 from Cemetery Perpetual Care to 402 DPW Cemetery
- \$ 1,500 from Sale of Cemetery Lots to 402 DPW Cemetery
- \$128,398 from Ambulance Reserve to 231 Ambulance
- \$ 45,831 from Parking Meter Fund to 212 Traffic and Parking
- \$ 44,143 from Parking Meter Fund to 293 Parking Clerk
- \$ 10,000 from Parking Meter Fund to 402 DPW
- \$ 1,617 from Waterways Improvement Fund to 295 Harbormasters
- \$ 515 from Waterways Improvement Fund to 297 Harbor
Advisory Committee
- \$ 85,555 from Municipal Property Insurance Trust to 940
Insurance Expenses
- \$102,748 from Municipal Liability Insurance Trust to 940
Insurance Expenses
- \$253,000 from Free Cash to 300 Public Education
- \$118,031 from CPA Fund to 700 Debt and Interest
- \$437,053 from Water Enterprise Fund to Shared Costs
- \$374,286 from Sewer Enterprise Fund to Shared Costs

Moved and seconded

The Moderator read the Table of Estimates.

TOWN MEETING VOTERS BOOKLET

ARTICLE 5				
TABLE OF ESTIMATES				
	FY12 Expended	FY13 Adj Base	FY14 Requested	FinCom Recommends
100 GENERAL GOVERNMENT				
114 MODERATOR				
Department Head	122	122	125	125
Operating Expense	113	113	114	113
	235	235	239	238
Pension & Benefits	2	2	2	2
	237	237	241	240
122 SELECTMEN				
Chairman	1,683	1,683	1,683	1,683
Four Selectmen	5,508	5,508	5,508	5,508
Town Administrator	96,900	108,807	108,807	108,807
Sr. Admin. Assistant Salary (AFT)	38,067	42,021	42,651	42,651
Assistant to the Town Administrator Salary (AFT)	25,563	55,000	57,450	57,450
BoS Meetings Support Clerk (APT)	5,880	5,814	5,901	5,900
Operating Expense	20,118	20,118	20,699	20,695
Auditing Services	36,000	36,000	35,000	35,000
Town Report	6,161	6,161	6,000	6,000
Band Concerts	3,937	3,937	4,200	4,200
Advertise Town Resources	-	-	-	-
Youth Center Operations	30,300	41,000	41,410	41,410
	270,117	326,049	329,309	329,304
Pension & Benefits	66,019	91,501	115,668	114,441
	336,136	417,550	444,977	443,745
124 SELECTMEN COMMITTEES				
Economic Development Committee Expenses	6,559	56,559	56,559	56,559
Historical & Historic District Commission Expenses	152	152	152	152
Town Art Committee	5,000	2,000	2,000	2,000
	11,711	58,711	58,711	58,711
131 FINANCE COMMITTEE				
Operating Expense	2,385	2,385	2,385	2,383
Special Printing of the Warrant	3,500	3,500	3,500	3,500
Reserve Fund	303,500	303,500	303,500	303,500
Reserve Fund Transfers Granted	-	-	-	-
	309,385	309,385	309,385	309,383
135 TOWN ACCOUNTANT				
Department Head	70,761	72,884	74,262	74,260
Assistant Town Accountant	46,518	47,914	48,819	48,819
Accounting Support Specialist Wages (AFT)	5,893	42,000	42,794	42,794
Operating Expense	26,603	29,199	23,014	23,010
	149,775	191,996	188,889	188,883
Pension & Benefits	61,532	83,074	67,279	67,843
	211,307	255,071	256,168	256,727
141 ASSESSORS				
Assessors	3,183	3,183	3,231	3,231
Assistant Assessor	52,000	53,560	54,363	54,363
T. Acct-Clerical - Perm Part Time	33,997	33,204	33,204	33,203
Operating Expense	2,801	6,464	5,414	5,412
Contractual	12,110	12,110	12,110	12,110
	104,091	108,521	108,322	108,320
Pension & Benefits	99,911	82,876	88,033	86,345
	204,002	191,397	196,355	194,665
147 TREASURER/COLLECTOR				
Department Head	67,560	69,587	70,630	70,630
Assistant Treasurer/Collector	43,827	45,142	45,820	45,820
Finance Technical Support Specialist Salary (AFT)	38,108	39,251	39,840	39,840
Clerical-Full Time	33,850	35,103	35,846	35,846
Operating Expense	17,833	18,543	22,330	22,330
Postage	4,929	19,929	20,010	20,010
Contractual	22,742	22,742	22,750	22,750
Special - Tax Titles	16,052	16,052	16,045	16,045
Special - Tax Bills	1,576	1,576	1,580	1,580
Financial Advisor - Bonding	5,152	5,152	5,200	5,200
	251,629	273,077	280,051	280,051
Pension & Benefits	79,946	80,710	85,935	85,447
	331,575	353,788	365,986	365,498
151 LEGAL				
Legal Costs & Expenses	4,635	4,635	4,681	4,680
Legal Fees	102,287	102,287	103,309	103,309
Labor Counsel	6,100	6,100	6,161	6,160
	113,022	113,022	114,152	114,149
PERSONNEL BOARD				
Clerical, Part Time	1,052	1,200	1,200	1,200
Merit Pay Pool	24,883	24,883	35,000	25,256
Operating Expense	180	180	380	380
	26,115	26,263	36,580	26,836
Pension & Benefits	376	378	525	384
	26,491	26,641	37,105	27,220

error changed to 35,000

TOWN MEETING VOTERS BOOKLET

ARTICLE 5				
TABLE OF ESTIMATES				
	FY12 Expended	FY13 Adj Base	FY14 Requested	FinCom Recommends
154 INFO SYSTEMS & TECHNOLOGIES				
IS&T Director Salary (AFT)	0	80580	87000	87000
Information Services & Network Manager Salary (AFT)	60000	64000	64960	64960
User Services Specialist Wages (APT)	8500	20000	39500	39500
Technical Support Specialist Wages (APT)	0	18500	45000	45000
Administrative Assistant (APT)	0	0	15368	0
Operating Expense	68,353	94,541	291,805	291,805
	136,853	189,854	543,633	528,265
Debt Service	127,263	27,888	22,263	22,263
Pension & Benefits	40,865	26,202	65,085	64,900
	304,980	243,943	630,980	615,427
158 TAX POSSESSED LAND				
	-	9,600	9,500	9,500
161 TOWN CLERK				
Town Clerk	53,892	53,892	65,000	60,000
Assistant Clerk	40,660	40,660	41,270	41,270
Operating Expense	7,178	11,638	9,472	9,469
Contractual				
	101,730	106,190	115,742	110,739
Pension & Benefits	40,742	41,194	44,072	43,794
	142,472	147,384	159,815	154,533
164 ELECTIONS				
Registrars Stipends/Election Officer Salary	2,640	2,640	2,680	2,679
Operating Expense	19,415	31,123	27,495	27,493
	22,055	33,763	30,174	30,173
Pension & Benefits	38	38	39	39
	22,093	33,801	30,213	30,211
171 CONSERVATION COMMISSION				
Conservation Agent	42,304	44,831	45,503	45,503
Clerical, Part Time	7,819	7,450	7,562	7,560
Operating Expense	2,035	1,760	1,780	1,780
Conservation Fund	560	550	550	550
	52,708	54,591	55,395	55,393
Pension & Benefits	8,796	9,112	9,789	10,329
	61,504	63,703	65,184	65,722
172 MILLBROOK MEADOW				
	274	274	274	274
173 RIGHTS OF WAY COMMITTEE				
	2,304	2,304	2,304	2,304
174 BEAUTIFICATION COMMITTEE				
	640	640	640	640
175 PLANNING BOARD				
Clerical, Part Time	12,479	16,935	17,189	17,189
Operating Expense	5,862	2,862	2,891	2,887
Contractual	30,800	33,600	33,600	33,600
	48,941	53,397	53,680	53,676
Pension & Benefits	196	248	249	249
	49,137	53,643	53,929	53,926
176 ZONING BOARD				
Clerical, Part Time	8,077	10,223	13,025	13,025
Operating Expense	745	707	705	705
Legal Notices - Zoning	4,949	4,949	4,950	4,950
	13,771	15,879	18,680	18,680
Pension & Benefits	117	148	189	189
	13,888	16,027	18,869	18,869
GENERAL GOVERNMENT SUMMARY				
Labor	831,726	968,809	1,151,191	1,121,074
Fuel, Light & Power	-	-	-	-
Operating Expense	783,630	914,842	1,104,470	1,104,446
ATM Authorization	1,615,355	1,873,651	2,255,660	2,225,520
Debt Service (Incl in 700)	127,263	27,888	22,263	22,263
Pensions & Benefits (Incl in 900)	398,540	395,482	476,865	473,962
TOTAL GENERAL GOVERNMENT	2,141,158	2,297,021	2,754,788	2,721,744
200 PUBLIC SAFETY				
210 POLICE DEPARTMENT				
Chief, Holiday Pay CH 147 S17F	3,520	3,626	3,626	3,625
Police Chief	102,199	105,265	105,265	107,265
Police Lieutenant Salary (AFT)	-	77,402	92,508	92,508
Police Sergeants	309,848	210,250	225,615	225,615
Police Officers	600,017	586,310	582,033	582,033
Administrative Assistant	-	40,996	40,996	40,996
Custodian	44,842	43,127	45,295	45,295
Clerk/Dispatcher	-	-	-	-
Overtime	86,726	86,726	86,726	86,725

TOWN MEETING VOTERS BOOKLET

ARTICLE 5				
TABLE OF ESTIMATES				
	FY12 Expended	FY13 Adj Base	FY14 Requested	FinCom Recommends
Miscellaneous Court Time, etc.	161,232	161,232	161,232	161,232
Operating Expense	36,409	36,409	36,409	36,407
Fuel for Vehicles	18,155	28,195	28,195	28,195
Heat & Light	35,020	35,020	35,195	35,195
Contractual	51,758	54,270	54,270	54,268
Uniform Account	27,453	22,953	22,953	22,953
	1,477,179	1,491,781	1,520,318	1,522,312
Debt Service	42,580	211,273	207,580	207,580
Pension & Benefits	347,029	398,530	434,510	429,092
	1,866,788	2,101,584	2,162,408	2,158,984
212 TRAFFIC & PARKING				
Parking Meter Sergeant Stipend	6,246	6,433	7,800	7,800
Parking Meter Attendants (SPT)	11,209	11,545	11,545	11,545
Operating Expense	9,557	9,557	10,157	10,153
Contractual	16,050	16,050	16,050	16,050
	43,062	43,586	45,552	45,548
Pension & Benefits	253	261	281	281
	43,315	43,846	45,833	45,829
215 LIFEGUARDS				
Lifeguards (SFT)	19,470	21,204	45,504	45,504
Operating Expense	1,500	1,500	7,918	7,918
	20,970	22,704	53,422	53,422
Pension & Benefits	282	307	660	660
	21,252	23,012	54,082	54,082
220 FIRE DEPARTMENT				
Firefighter Stipends (AOC)	95,159	116,521	116,521	116,520
Fire Inspector/Chief	18,366	18,917	18,917	18,917
Labor, Part Time	3,639	3,405	3,514	3,514
Seasonal & Special Labor	2,234	2,339	2,301	2,300
Operating Expense	40,300	45,301	46,300	46,297
Heat & Light	26,780	26,780	26,780	26,780
Fuel for Vehicles	2,575	2,575	2,575	2,575
	189,053	215,839	216,909	216,903
Debt Service	62,650	128,660	131,700	131,700
Pension & Benefits	19,182	19,108	20,272	19,541
	270,885	363,607	368,882	368,145
225 FOREST FIRE DEPARTMENT				
Department Head	3,062	3,062	3,154	3,154
Direct Labor (Stipend)	16,535	16,769	17,031	17,030
Forest Fire Deputies	4,225	4,333	4,352	4,350
Labor, Part Time	1,177	1,212	1,212	1,210
Operating Expense	2,599	2,599	2,599	2,594
Fuel for Vehicles	516	516	516	515
	28,114	28,491	28,864	28,853
Pension & Benefits	362	368	373	373
	28,476	28,859	29,237	29,226
231 AMBULANCE				
Department Head	6,901	8,223	8,223	8,223
Direct Labor (Stipend)	56,662	78,220	79,920	79,920
Part Time Labor (Stipend)	2,987	3,132	3,132	3,130
Special - EMT	22,637	24,895	24,895	24,894
Operating Expense	26,644	27,361	27,361	27,360
Fuel for Vehicles	2,369	2,369	2,369	2,369
Contractual	14,140	18,640	18,640	18,640
	132,340	162,840	164,540	164,536
Pension & Benefits	1,606	1,669	1,684	1,684
	133,946	164,509	166,224	166,221
241 INSPECTION SERVICES				
Building Inspector Salary (AFT)	64,929	65,445	67,880	67,880
Labor PT (Electric/Plumb&Gas) Salaries	14,700	14,763	17,370	17,370
Clerical, Part Time	27,029	28,200	25,685	25,685
Operating Expense	628	656	1,052	1,050
Auto Allowance	1,844	4,500	4,500	4,500
Contractual (Sealer of Weights)	1,428	1,428	1,400	1,400
	110,558	114,992	117,887	117,885
Pension & Benefits	67,821	51,048	54,334	53,602
	178,379	166,040	172,221	171,487
249 ANIMAL INSPECTOR				
Animal Inspector Stipend (APT)	1,672	1,672	1,748	1,748
Mileage Reimbursement	200	200	200	200
Fuel for Vehicles	-	-	-	-
Operating Expense	30	30	30	30
	1,902	1,902	1,978	1,978
Pension & Benefits	24	24	25	25
	1,926	1,926	2,003	2,003

TOWN MEETING VOTERS BOOKLET

ARTICLE 5				
TABLE OF ESTIMATES	FY12 Expended	FY13 Adj Base	FY14 Requested	FinCom Recommends
291 EMERGENCY MANAGEMENT				
Director's / Deputy's Salary	4,250	4,250	4,378	4,378
Operating Expense	750	750	750	750
	5,000	5,000	5,128	5,128
Pension & Benefits	62	62	63	63
	5,062	5,062	5,191	5,191
292 DOG CONTROL				
Dog Officer Salary (APT)	7,803	8,883	8,158	8,158
Assistant Animal Control Officer	3,602	3,602	3,766	3,765
Gasoline	800	800	786	785
Operating Expense	3,686	3,686	3,700	3,700
	15,891	16,971	16,410	16,408
Pension & Benefits	165	181	173	173
	16,056	17,152	16,583	16,581
293 PARKING CLERK				
Hearing Officer	1,225	1,225	1,237	1,237
Parking Clerk (APT)	14,584	15,022	15,172	15,172
Operating Expense	3,331	3,331	3,364	3,358
Contractual	24,130	24,130	24,130	24,130
	43,270	43,708	43,903	43,897
Pension & Benefits	211	236	238	238
	43,481	43,943	44,141	44,135
295 HARBORMASTERS/SHELLFISH				
Harbormasters	28,208	42,594	43,233	43,230
Assistant Harbormasters	3,665	3,665	3,832	3,830
Assistant Shellfish Officer	1,270	1,270	1,328	1,328
Clerical, Part-Time				
Seasonal, Part-Time	17,191	17,191	17,972	17,972
Court Time	576	576	609	609
Shellfish Constable	1,525	1,525	1,594	1,594
Operating Expense	25,141	25,141	30,648	30,638
Fuel	3,605	6,005	6,606	6,606
Contractual	2,015	2,015	2,216	2,215
Float Replacement	20,200	20,200	20,402	20,400
Pumpout Boat Expense	2,090	2,090	2,299	2,299
	105,486	122,272	130,739	130,721
Debt Service	-	130	519	519
Pension & Benefits	30,251	30,592	32,515	31,907
	135,737	152,864	163,254	162,628
297 HARBOR ADVISORY COMMITTEE	515	515	515	515
PUBLIC SAFETY SUMMARY				
Labor	1,771,122	1,845,029	1,905,280	1,907,262
Energy	89,820	102,260	103,022	103,020
Operating Expense	312,398	323,312	337,863	337,824
ATM Authorization	2,173,340	2,270,601	2,346,165	2,348,106
Debt Service (Incl in 700)	105,230	340,063	339,799	339,799
Pensions & Benefits (Incl in 900)	467,250	502,385	545,130	537,640
TOTAL PUBLIC SAFETY	2,745,820	3,113,048	3,231,093	3,225,546
	2,745,820	3,112,918	3,230,575	3,225,026
300 PUBLIC EDUCATION				
300 ROCKPORT SCHOOL DEPARTMENT				
Needed to Operate	11,389,194	11,596,736	12,630,037	12,397,037
Reserve Offsets	1,500,902	1,816,044	1,626,911	1,912,000
Free Cash				253,000
Town Contribution	9,888,292	9,780,692	11,003,126	10,232,037
PUBLIC EDUCATION SUMMARY (General Fund)				
Labor	7,930,348	7,892,334	8,581,377	8,166,084
Energy Costs	313,940	303,779	313,788	304,633
Operating Expense	1,639,402	1,584,578	2,107,962	2,014,321
ATM Authorization	9,883,690	9,780,692	11,003,128	10,486,037
Debt Service (Incl in 700)	268,575	274,742	148,907	176,555
Pensions & Benefits (Incl in 900)	2,126,383	2,304,519	2,416,645	2,379,706
TOTAL Rockport Schools	12,278,648	12,359,953	13,568,678	13,041,299
305 North Shore Vocational Technical	123,754	143,838	153,000	182,801
TOTAL PUBLIC EDUCATION	12,402,402	12,503,791	13,721,678	13,224,100
400 DEPARTMENT OF PUBLIC WORKS				
401 SALARIES				
Commissioners' Stipends	2,576	2,945	2,989	2,989
Director's Salary/Auto Allowance	48,750	51,500	52,273	52,273
Ass't. Director	50,555	46,350	47,045	47,045
DPW, Technical Supp				

TOWN MEETING VOTERS BOOKLET

ARTICLE 5				
TABLE OF ESTIMATES				
	FY12 Expended	FY13 Adj Base	FY14 Requested	FinCom Recommends
Field Coordinator	36,930	37,080	37,636	37,636
Office Manager	15,200	21,115	21,432	42,432
DPW, Adm Wage	12,696	17,597	18,444	18,444
	166,707	176,587	179,818	200,818
Pension & Benefits	34,017	59,879	63,905	74,540
	200,724	236,465	243,724	275,358
402 FIELD LABOR				
Administration	13,992	19,758	17,571	17,571
Public Property	239,732	231,421	235,559	235,559
Park, Beach & Forestry	46,539	53,240	54,697	54,697
Highway, General	150,657	122,485	129,220	129,220
Highway, Snow & Ice	34,127	35,803	37,191	37,191
Solid Waste	102,268	100,139	102,033	102,033
Garage	46,914	50,092	52,144	52,144
Wastewater	26,027	35,823	36,996	36,996
Water	36,230	35,627	36,461	36,461
Cemetery	117,652	106,479	110,368	110,368
	814,138	790,667	812,239	812,239
Pension & Benefits	364,309	342,137	364,990	365,687
	1,178,447	1,132,804	1,177,229	1,177,926
403 SEASONAL LABOR	22,304	22,073	22,404	22,404
Pension & Benefits	323	320	325	325
	22,627	22,393	22,729	22,729
OVERTIME				
Regular Overtime	25,488	36,928	42,981	42,981
Overtime, Snow & Ice	38,692	38,692	39,272	39,272
	64,180	75,620	82,254	82,254
Pension & Benefits	931	1,096	1,193	1,193
	65,111	76,716	83,446	83,446
405 DPW FUEL, LIGHT & POWER				
Public Property	107,951	86,117	96,078	96,078
Solid Waste	63,712	63,712	65,349	65,349
Garage				
Highway - Street Lights	93,000	93,000	93,930	93,930
	264,663	242,829	255,357	255,357
406 DPW EXPENSES				
Commissioners	-	-	-	-
Administration	29,549	29,549	29,844	29,844
Public Property	66,317	80,817	73,848	73,848
Park, Beach & Forestry	23,766	23,466	24,004	24,004
Highway, General	72,073	71,673	72,794	72,794
Highway, Snow & Ice	39,986	39,986	40,386	40,386
Solid Waste	276,974	276,774	279,744	279,744
Garage	72,631	74,531	73,357	73,357
Cemetery	4,528	8,928	9,320	9,320
Clothing Allowance	3,333	6,400	4,848	4,848
	589,157	612,124	608,145	608,145
DEPARTMENT OF PUBLIC WORKS SUMMARY				
Labor	1,067,329	1,064,947	1,096,715	1,117,715
Fuel, Light & Power	264,663	242,829	255,357	255,357
Operating Expense	589,157	612,124	608,145	608,145
	1,921,149	1,919,900	1,960,218	1,981,218
ATM Authorization				
Debt Service (Incl in 700)	571,100	716,891	502,222	502,222
Pensions & Benefits (Incl in 900)	399,580	403,432	430,413	441,745
TOTAL DEPARTMENT OF PUBLIC WORKS	2,891,829	3,040,223	2,892,853	2,926,185
500 HEALTH AND WELFARE				
510 BOARD OF HEALTH				
Sanitary Inspector	32,386	33,358	33,858	33,858
Admin Asst to Board of Health	13,798	15,292	15,522	15,522
Seasonal Labor - Beach Testing	2,748	1,254	1,273	1,275
Public Health Nurse	3,506	4,760	5,376	5,375
Auto Allowance	-	-	-	-
Clinic Nurse	1,000	1,030	1,045	1,045
Operating Expense	25,350	25,350	26,700	26,700
VNA Services	-	-	-	-
	78,788	81,044	83,773	83,778
Pension & Benefits	21,476	21,757	23,195	23,105
	100,264	102,802	106,969	106,883
541 COUNCIL ON AGING				
Director	39,977	41,176	41,176	41,175
Clerical Part Time	535	-	2,400	2,400
Operating Expense	10,016	15,176	14,641	14,641
	50,528	56,352	58,217	58,216
Pension & Benefits	8	26,967	28,729	28,411
	50,536	83,319	86,946	86,627

TOWN MEETING VOTERS BOOKLET

ARTICLE 5 TABLE OF ESTIMATES	FY12 Expended	FY13 Adj Base	FY14 Requested	FinCom Recommends
543 VETERANS SERVICES				
Veterans Agent	3,091	3,117	3,164	3,165
Operating Expense	546	520	520	520
Veterans Allowances	60,000	60,000	60,000	60,000
	63,637	63,637	63,684	63,685
Pension & Benefits	45	45	46	46
	63,682	63,682	63,730	63,731
HEALTH AND WELFARE SUMMARY				
Labor	97,040	99,987	103,813	103,818
Energy	-	-	-	-
Operating Expense	95,912	101,046	101,861	101,861
ATM Authorization	192,952	201,033	205,674	205,679
Pensions & Benefits (Incl in 900)	21,529	48,770	51,970	51,562
TOTAL HEALTH AND WELFARE	214,481	249,803	257,645	257,241
600 CULTURE AND RECREATION				
610 LIBRARY				
Department Head	67,507	69,532	70,575	70,575
Other Direct Labor	248,915	252,863	260,239	260,240
Operating Expense	4,217	4,217	4,217	4,213
Energy	28,230	28,230	28,230	28,230
Library Materials (19%)	91,500	94,000	98,764	98,764
Contractual	36,222	43,200	46,953	43,953
	476,591	491,843	506,979	503,975
Pension & Benefits	138,297	138,342	147,374	146,476
	614,887	630,185	654,353	650,451
630 RECREATIONAL COMMITTEE				
Recreation Director (incl seasonal labor)	18,744	26,997	27,000	27,000
Clerical Part-time	7,467	12,960	12,960	12,960
Operating Expense	6,699	6,699	4,370	4,370
	32,910	46,656	44,330	44,330
Pension & Benefits	380	391	392	397
	33,290	47,048	44,722	44,727
635 GRANITE PIER				
Seasonal Labor	12,203	12,569	12,758	12,755
Operating Expense	8,989	8,989	12,959	7,659
	21,192	21,558	25,717	20,414
Pension & Benefits	177	182	185	185
	21,369	21,740	25,902	20,599
638 THACHER ISLAND				
Direct Labor	5,000	5,150	5,150	5,150
Fuel	6,550	6,000	6,000	6,000
Other Operating Expense	-	3,550	3,550	3,550
	11,550	14,700	14,700	14,700
Pension & Benefits	73	75	75	76
	11,623	14,775	14,775	14,776
STRAITSMOUTH ISLAND				
	1,000	1,000	1,000	1,000
692 MEMORIAL DAY COMMITTEE				
	2,609	2,609	2,609	2,608
CULTURE and RECREATION SUMMARY				
Labor	369,836	379,872	388,682	388,680
Light and Power	34,780	34,230	34,230	34,230
Operating Expense	151,236	164,264	172,422	164,117
ATM Authorization	545,852	578,366	595,335	587,027
Pensions & Benefits (Incl in 900)	138,926	138,991	148,025	147,134
TOTAL CULTURE & RECREATIONAL	684,778	717,357	743,360	734,161
700 DEBT AND INTEREST				
Maturing Debt Principal	1,511,447	1,234,000	894,000	894,000
Maturing Debt Interest	354,369	242,093	248,592	248,593
Temporary Debt Principal	100,000	-	-	-
Temporary Debt Interest	61,337	5,125	29,425	42,110
TOTAL DEBT AND INTEREST	2,027,152	1,481,218	1,172,017	1,184,702
900 OTHER				
911 RETIREMENT FUND				
Basic Retirement	975,740	1,067,646	1,153,058	1,222,455
Early Retirement, Year 1	-	-	-	-
Pension reserve	-	-	-	-
	975,740	1,067,646	1,153,058	1,222,455
912 NON-CONTRIBUTORY PENSION				
	8,052	9,572	9,572	-

ARTICLE 5				
TABLE OF ESTIMATES	FY12 Expended	FY13 Adj Base	FY14 Requested	FinCom Recommends
913 UNEMPLOYMENT INSURANCE	25,000	25,000	50,000	50,000
914 GROUP INSURANCE				
Health	3,554,349	3,773,640	4,000,058	3,839,678
Life	11,484	11,639	12,000	11,639
	3,565,833	3,785,279	4,012,058	3,851,317
916 FICA/MEDICARE	162,042	187,875	225,000	225,001
917 SICK LEAVE / BUY-BACK	44,529	57,538	87,720	87,720
940 INSURANCE EXPENSE	312,803	370,255	382,759	382,765
941 BLDG/LIABILITY INSURANCE TRUSTS	-	-	-	-
943 FUNDS TRANSFERS	-	-	-	-
Stabilization Fund	-	86,081	-	-
Stabilization Fund/ASL-VAC	-	-	-	-
Transfer to Water	-	-	-	-
Transfer to Sewer	-	-	-	-
Transfer to Other	-	-	-	-
TOTAL OTHER	5,093,799	5,589,245	5,920,166	5,819,258
ARTICLE 5 SUMMARY				
Labor and Salaries	12,057,401	12,240,978	13,227,058	12,804,632
Pension and Benefits Expenses	4,781,196	5,132,909	5,537,407	5,436,493
Fuel, Light & Power	703,203	683,098	706,397	697,240
Operating Expenses	4,008,092	4,300,340	4,968,482	4,896,281
Debt Service	2,027,152	1,481,218	1,172,017	1,184,702
TOTAL ARTICLE 5	23,577,044	23,838,545	25,611,361	25,019,348

The Items that were held: 122, 124, 131, 151, 154, 158, 215, 638, 692.

MODERATOR: As to the Items that were not held; the non-held items is there a motion?

MIKE HUGHES: I move all the Items listed in Article 5 not held be approved.

MODERATOR: You've heard the motion. All those in favor say aye. Opposed say no.

That motion carries.

MODERATOR: Now we go on to the "hold" items. Selectmen 122; we're going to talk about the Selectmen.

TOBY ARSENIAN: 95 Granite Street – I've looked through the line items under Selectmen and it's not clear to me where we're paying for their insurance. I gather we're paying for their insurance. Please tell me which line item that is.

LINDA SANDERS: The Finance Committee segregated it to the bottom, so it's combined for the whole department. The total for pension and benefits in 122 is \$114,441. And that's for the whole department.

MODERATOR: You see it down below, Pension & Benefits. Do you see it Toby?

TOBY ARSENIAN: I don't wish to offer an amendment to subtract from the number but I don't feel that this is a good thing. It's a great honor to serve as Selectmen and if it's done properly it's a great deal of work as well and the Selectmen get stipends which are nominal sums. I really think it would be better if there were no stipends, not that we begrudge them the money but there's no pretense that the stipends are proper pay for the amount of work involved. The insurance is a serious amount of money and apparently the Selectmen feel that it is appropriate that they take the insurance money as a benefit that goes with the job. I don't think it's appropriate. Since the Selectmen feel it's appropriate I would ask that those who are accepting the money please stand up and tell us that you are accepting the money. The individual members of the Board and tell us if you're accepting the money for yourselves or for yourselves, spouses and families. Presumably those who are taking the money don't feel it's any matter of disgrace or taking advantage and so should have no qualms about doing so. Thank you.

ERIN BATTISTELLI, 57 Phillips Avenue – and I answered this question last year. Yes I do accept the benefits that are made available to the Board of Selectmen. I'm not sure how long it's been in existence but I think it's been quite a while and I hope that the work that I do and the hours and the time and effort that I do spend warrants it. Thank you.

TOM DELANEY, Eden Road – I just wonder on the second part of the request which is to identify whether you've got family coverage, children coverage if that complies with federal law or whether that information is..federal law prohibits that from being identified.

ROBERTA JOSEPHSON, 1 Seagull Street – I'm also the Town Accountant here in Rockport. I want to make it clear that this is not a unique situation to the Town of Rockport. Mass General Law does provide for health insurance benefits to be available to elected officials and therefore we are complying with Mass General Law by making this available to our Board of Selectmen.

DARREN KLEIN from Kopelman & Paige through the Moderator. Good morning everybody. Just to pick up on what was just said. It is correct under the Massachusetts law any of the elected officials including the Selectmen who receive a stipend are eligible for health insurance under Massachusetts law. Regarding the question that was just asked regarding HIPAA it is not a violation of HIPAA law for the town to know when elected officials are receiving the health insurance and whether or not it is an individual or family plan. Obviously additional information is protected by HIPAA laws, not those pieces of information.

ERIN BATTISTELLI: Mine is a family plan.

HILDY FEUERBACH, 15 Pigeon Hill Street – I just have a question. We're talking about benefits in the plural and I'm questioning whether or not we're talking about health insurance here and pension or just health insurance. I also have a second question when you referred to elected officials are we talking about the Planning Board also being entitled to receive such benefits or is it just Selectmen?

MODERATOR: Just bear in mind that there's really no pending motion. We're just kind of kicking things around and talking about it. There's been no motion to change that figure and so that might decrease the amount of time we're going to spend talking about this. I'll give Darren a moment to contemplate that.

SANDY JACQUES, 93 Granite Street – This issue came up when I was running for Selectmen it's been an unclear issue for many, many years. I think you even added to the non-clarity by stating that as Roberta Josephson did any elected official would be entitled to this. We have a lot of elected officials. The Planning Board, the Board of Assessors etc. and I guess maybe if there were to be a motion it might be that we as a town meeting body ask that this be looked into, that it be made a level playing field as opposed to a field in which some players play and other players don't.

DARREN KLEIN: Only elected officials who receive a stipend are eligible for health insurance under Massachusetts law and that is the determination of which stipended for the first qualifications you have to receive a stipend then it is up to the discretion of the Board of Selectmen which officials who receive stipends would be eligible for health insurance and I would just add that it is a pretty common practice in Massachusetts definitely more than a majority of cities and towns where their Board of Selectmen and obviously Mayors receive health insurance. It's not a 100% but it's definitely a significantly higher than the majority.

PAUL MURPHY, Board of Selectmen: I want to make sure that I am not ducking this question. I do take health insurance and I'm very grateful.

CHARMAINE BLANCHARD, 16 ½ King Street – I guess I have a question for Mr. Murphy. If you're gainfully employed and I presume that you are offered this benefit with your employer my question is why do you feel that it is in the best interest for the town to pay for your health insurance and why do you opt to take it?

SIDNEY WEDMORE, 155 South Street – just a clarification. Is the insurance in effect only while a person is in office or does it continue afterwards?

DARREN KLEIN: It is only while the elected official is in office. The only exception to that would be if the elected official had gained enough years of service that they were also a retiree of the town then they.. it had nothing to do with their elected duties but the fact that they are a retiree of the town and there are certain eligibility for health insurance as well which is set by the Board of Selectmen for retirees. Again, that has nothing to do with elected officials that's for all retirees of the town.

MODERATOR: I think we've given this issue enough time so I'm going to move on to the next section and you can see from my \$2.00 pension and benefits that I do not draw the medical.

Noise away from a microphone.

MODERATOR: Not every question today is going to be answered and that's not how we run things and I've determined that that issue, we could talk about this for days but it's not just a gripe session, this is a session to move business. I'm looking for numbers when we talk through the budget, what numbers you want and why you want to change them. So it's an interesting issue and I would suggest that if somebody wants to put that on an agenda for a meeting we can do that but we could talk about this for hours.

Number 124 Selectmen Committees was held.

TOBY ARSENIAN: I move that we decrease the line item Economic Development Committee Expenses by the sum of \$50,000.00 that leaves \$6,559.00 in that line item. (Moved and seconded) For years we've given approximately \$6,000.00 a year to the Economic Development Committee and before that to the Chamber of Commerce to advertise the town. In plain English to advertise for more tourists. Last year after an appeal from the Economic Development Committee we gave them an additional \$50,000.00. For years we've been told that tourism supports the town. It's an accepted truth. Only it turns out it's not true, tourism does not support the town. The Finance Committee has looked into how the town's residents earn a living. They've had to group different occupations together into categories. It turns out that 8% of the town's population makes a living out of tourism, eight percent, a tiny minority. This is a subsidy for private enterprise, a subsidy for a tiny minority. In a letter to the Gloucester Daily Times Peter Webber said that in Gloucester and in Essex the Chamber of Commerce undertakes to pay these expenses. Here we are asked to shoulder the burden. If you're feeling generous and if you're feeling expansive we could pay for secretarial help for the town's doctors, lawyers, insurance agents. We could pay for insurance for the town's carpenters, plumbers, landscapers. Those too are private enterprise – good causes. You recognize those suggestions as absurd. Paying for the advertising budget of the local tourist industry is in no way different. This is a bad habit we have fallen into it is a bad habit we can no longer afford. If every word I've so far spoken strikes you as utter nonsense there is still good reason to vote for this amendment and against the \$50,000.00. A year later the first \$50,000.00 spent, ask yourself is the town a better place to live in? A year later the first \$50,000.00 spent, ask yourself is my life any better?

LANA RAZDAN, 14 Atlantic Avenue – I'm here speaking as the Chair of the Economic Development Committee. I totally respect Toby's opinion on this and I know it is probably shared by other people in the room but what I'd like to point out to you is the origin of this money which is the increased rooms' tax proceeds that actually is supported by our innkeepers in town to help promote the town. When I proposed adding this \$50,000.00 to the budget last year I made a couple of points which I think are important. What do we have in this town that is saleable? I would say it is our visitor industry. Our visitor industry although it may only, I'm not questioning Toby's statistics but although it may technically be only 8% it does support the overall town and its image. One of things that we discovered with the Finance Committee's analysis is that we are losing a lot of younger people in town it has implications for our school system, for our real estate values, for the overall economic health of the town. Also another point that was made is that a lot of people when they come to Rockport and they buy that tee shirt or have that ice cream maybe twenty years down the road will come here and settle. That was the case with myself and my family and I know by a show of hands last year that was the case of a lot of people in this room. So I don't think we can minimize the effect of our visitor industry on our town. It is an easy way for us to promote ourselves. Now the cost of doing business and the way you do business to advertise what you have in town is vastly different than it was 20 or 30 or 40 years ago. There are tons and tons of electronic media out there which is where most people get their information and there are also the traditional media. We can't do business the way we used to. This is an initiative that does not support just one industry in town because it is not funded through the Chamber of Commerce because it is municipal funds we are aiming to help everybody in town by using what we have to raise the level for everybody and to bring more families to town, more business to town and use our visitor industry as the funnel to get those people's attention and bring them in. Is this an easy job? No it is not an easy job. I think I stood here last year and I'll repeat what I say, I come from this background, I am a PR person by trade. I can tell you this is not a one year effort. This is a multiyear effort. Have we spent down that money from last year? No, we have only spent probably about \$12,000.00 on that so far because the timing is a little unusual. We hired Maddick communications which is a very good medium sized marketing firm to send our message out to all these groups that we cannot possibly as a volunteer agency cover or address. They're constantly having conversations, researching new opportunities, following up on leads. We don't have the physical resources as a volunteer board to do that. They are not just promoting tourism or visitation. They're promoting our schools, they're promoting our real estate, they're promoting our business. During the winter months we worked very hard with them to focus on publications and electronic media sites that would give us coverage about our schools. For instance Rob Liebow was featured in a publication called Around New England which reaches out to the geographical New England region and he talks about why our school system is a wonderful school system and why he thinks he has the best job on the planet. We are probably looking at being featured in a Boston magazine article listing us as one of the best places to live. Those are things which reach a lot of people. Let me give you some of my statistics. During the winter months we actually had one journalist come in cover Rockport New Year's Eve and that has not only gotten us a lovely media story that reaches about 11 million visitors but she was so taken with Rockport that she is coming back to do a story on seafood and she is probably coming back to do a harvest fest story as well. Our charge is not to bring in more people during the summer it's to lengthening our visitor season to early spring into late fall when our inns and our restaurants and our other sites are not as busy to try and bring in a little bit more activity during those times. Another thing I think that's very important and I want to point out is that we are not spending

money on this other than for the ad agency. All of the groups and organizations that supposedly benefit from this if they were Chamber members like our innkeepers, our restaurants, our service groups, the Shalin Lu, etc., etc. They're all comping their services they're all volunteering these services to host these writers to show them what we have to offer so we are not spending this money indiscriminately. We're also working on community projects which are tied up in getting approvals right now like redesigning the info booth at Harvey Park and doing a

MODERATOR: Thank you Lana (Lana is over the five minute mark) but I'm going to have you stay here in case, I know how your mobility is limited, in case anybody has any questions. Any questions directly for Lana?

Lana why don't you stay there, you guys can share a mic.

TOBY ARSENIAN: We're dear friends, although, I hope we are. (Lana: We agree to disagree.) We agree to disagree.

MODERATOR: Big hug, I want to see a big hug.

TOBY: I'll give you a paw. (Lana: that works) I hear we only spent \$12,000.00 of the last \$50,000.00 actually it wasn't \$50,000.00 it was \$50,000.00 plus I think \$6,400.00 last year so my question is and this I guess is for the accountant. Does not the \$38,000.00 or does not the balance after the \$12,000.00 spent go back into the General Fund? I'd like an answer to that. Lana Razdan spoke of advertising not just for the tourist industry the hotels but also for the schools and for the real estate industry. Real estate in Rockport as you may have noticed is very prized, very pricy it doesn't require any advertising. As for advertising the school if they do a good job they also don't need advertising I think that's inappropriate. In addition I bothered to read the presentation, written presentation that the Economic Development Committee gave to the Board of Selectmen to justify the great increase \$50,000.00 last year. There was no mention of advertising schools or real estate in that. It came under three headings: to advertise for tourists, to advertise for tourists using the kids to use social media whatever those may be and to meddle in the parking affairs at the Park and Ride lot, which is not appropriate. Thank you.

LANA RAZDAN: I think that perhaps it wasn't overt enough Toby but we discussed in that proposal what we call livability issues and that's the intent to address our real estate and our schools and our overall economic climate so it was mentioned under the visitors section using the visitors as a way to get people's attention so I just wanted to clarify that as far as the other things yes we do have a program trying to place students in internship opportunities and we're still working on that and the parking I'd like to clarify that as well it's to support whatever parking solutions or mechanisms are put together by the Board of Selectmen. We are not meddling in parking it's not specific to the Park and Ride. It's to provide informational material and communications to support whatever solutions come up with other officials in town.

FRANK HASSLER: In the budget any unspent money as of June 30th of 2014 will be returned to free cash. So if you vote a sum of money to authorize the expenditure and the expenditure is not made during the fiscal year in question then it returns as additional revenue for future budgets.

JONATHAN RING, 9 Pooles Lane – I support Toby's motion. The very reason is that taxes should be leveled for basic, levied for basic needs of going toward public education directly public safety and fire they should not be spent on social media or advertising firms and so I think that that money could be better spent elsewhere. So I believe that it should be reduced in this budget. Thank you.

ELLEN CANAVAN, 340 Granite Street – I rise just to say a few words for those of us who do live here who are not in favor of having summer tourists spread across the whole year. It's one thing to put up with them in the summertime I think it's quite another to have to have it all year round. They clog the roads they take up all the parking places they dump their litter and they open their windows and turn up their radios. I think it's an absolute nuisance. Thank you.

LANA RAZDAN: You gotta love them and you gotta hate them. I live right downtown so I understand that issue as well but at the same time they do bring money and funds and interest to the town. We're not suggesting bringing the volume of tourists that you would have in the summer in those shoulder seasons it's just to perk up the business a little bit to take advantage of what we have to offer.

MODERATOR: O.K. You've heard the motion. All those in favor of decreasing the Economic Development Committee expenses Fin. Com. recommendation of \$56,559 by \$50,000 please raise your hand. All those opposed please raise your placard.

That motion fails.

Now we move on to #131 Finance Committee.

TOBY ARSENIAN: I move a vote of thanks for the Finance Committee, the Capital Improvement Planning Committee, the Town Administrator and the Board of Selectmen for all of their long, hard work in preparing the budget.

Applause ensued.

#135 Town Accountant – no one spoke

#151 Legal

TOBY ARSENIAN: I move we decrease the funding for Legal Fees by the sum of \$100, it is now \$103,309 this would make it \$103,209 and adjust the total for legal accordingly.

Moved and seconded

TOBY ARSENIAN: All of the town's employees from the Town Administrator at the top of the tree if you think of it as a hierarchy on down are subject to a performance review and this is not meant to terrorize the employees or make people uncomfortable it's meant to give the town some sense of what we're getting for our money and also to help the employees understand how things might be better. It's not meant to criticize anyone. There is no employee review for Town Counsel. To be sure Town Counsel is not exactly an employee, it's a contract. It's as much important as any of the town departments, indeed it's essential and for years now I've asked the Board of Selectmen if we could have an employee review for Town Counsel. It makes sense just as it does for the town's employees. They are chiefly the ones who deal with Town Counsel other department heads committee chairmen get to meet with them those people should be provided with forms so that there is some standard way of assessing what sort of services we're getting. Otherwise at the end of the year, whenever that is that we renew the contract. All they have are their vague, general impressions. Yes we liked Darren Klein, yes we like John Goldrosen, how do you remember what happened three-quarters of the year ago the particulars of different cases. Whether you got what you needed, when you needed it so on and so forth. If you'll vote for the \$100 deduction it will send a message to the Board of Selectmen. We can't force the Board of Selectmen to do anything and you can be sure that deducting \$100 does not interfere with the operations of town counsel in any way. These figures are necessarily estimates you might say guesses the expenses could be greater or lesser if the expenses are lesser the money goes back into the General Fund. If the expenses are greater the Finance Committee will give them a transfer from the Finance Committee's Reserve Fund so we are not interfering with the operations of Town Counsel. We are sending a message to the Board of Selectmen.

ERIN BATTISTELLI: I just want to point out that we have quarterly reviews with Town Counsel and there's quite a bit of opportunity to talk about the cases that are before the town if there are either issues or the way they're dealing with the issues that we would like to improve upon or that we're not happy with. We're certainly able to do that during one of the quarterly Board of Selectmen meetings so just thought I'd mention that.

MODERATOR: You've heard the motion. All those in favor taking \$100 away from the Fin. Com. recommendation of \$103,309. Please raise your placard. All those opposed.

The motion fails.

We move on to page 40 #154 Info Systems & Technologies

LAURIE MCKENNA, 31 High Street – I notice there appears to be a large increase in fiscal year '14 but then when I look more closely at fiscal year '13 adjusted base the math doesn't seem right. So now I'm confused perhaps the spreadsheet shows different figures than our printed.. for '13. And it's important because then that would perhaps answer my question about why is there such a huge increase in operating expense and I'm trying to understand why the wages increased between '13 and '14 perhaps it was for people hired midyear. Something's amiss there with math.

MIKE HUGHES Finance Committee: I apologize I found an error in the printing. I need to make an amendment to later on. The question is why did the MIS costs go up this year versus last year and the reason for that is it has a brand new structure. In the past you had individual workers working in individual departments and this year you have a single organization and so when you reorganize you go before the Personnel Board and the Personnel Board evaluates what each person's responsibility is versus other

towns and what the state is paying and the Personnel Board sets the labor rates which then become part of the budget. The Finance Committee's recommendation could either be eliminate the position..we can't say we don't believe this person should be paid X they should be paid Y. That's the decision of the Personnel Board.

ROBERT LIEBOW Superintendent of Schools- Martha's Lane and just missed being able to register to vote today so next town meeting I'll be able to do so I hope. But the simplest explanation as to why that line is an increase if you had a detailed school budget which you don't have you would have seen that last year there was a line in the budget of \$312,600 I believe for technology. That amount was transferred out of the school budget and is now in a town department so \$312,000 of the increase is a shift from the school budget over to this new town department. It's a consolidated technology department as opposed to a separate school technology set of employees and expenses and town expenses and I think overall that will be a much more efficient kind of setup rather than having the duplication between town and school. So that I think is the simplest explanation. Linda, anything to add to that?

LINDA SANDERS: No, I think that's right. So it really isn't an increase as it looks.

MODERATOR: So it's a change but if that engenders any further questions, anybody?

LAURIE MCKENNA: But the math on the fiscal year 13 adjusted base still can't be right so it's hard to see whether there's ..even if you..there's something wrong with the math on the fiscal year '13 base. Regardless of whether the increase between the two years had to do with transferring \$312,000 from the school budget to this budget. There's still something amiss, that should be addressed.

MODERATOR: So the Finance Committee is dusting off their abacas so I'll let them do that.

FRANK HASSLER: In putting together the adjusted base we took all the costs from the school system and put them in the adjusted base but then when we decided at the very last minute that we would not subtotal them in completely and so some of those numbers originally were in a slightly different color and they printed out here but they shouldn't have. So yes, there's a small arithmetic error but in the logic the Finance Committee used to put the budget together there was not an error and since we're not voting on the adjusted base we're just voting on proposed budget we didn't think that was a big problem.

MODERATOR: Does that make it crystal clear now? Any further discussion on that or should we move on and I think there was a typo on page 39 near the bottom.

MIKE HUGHES: Yes on the bottom of page 39 under the Personnel merit pay pool the requested amount was \$35,000 because there's an infusion of some new individuals that are eligible for the merit pay pool and if you see the Finance Committee recommendation was \$25,256 that's an error. We voted to support the \$35,000. So Mr. Moderator, I would like to move that the amount listed under Fin Com Recommendation and 151 Legal on the Merit Pay Pool be changed from \$25,256 to \$35,000.

Moved and seconded. Does that engender any discussion on that item?

SANDY JACQUES: I believe he read it as Legal it should be Personnel Board.

MODERATOR: Yes, it's under Legal but you're right, you're both right. You've heard the motion to make that change. All those in favor say aye. Opposed say no.

The motion carries.

We've gone through 154 Any further questions, discussions or motions on that one?

We go now to Tax Possessed Land.

ERIC HUTCHINS, 13 Applecourt Road – I just have a clarifying question. A number of years ago I'm sure a number of people remember there were a lot of issues that cropped up about the selling of tax title land in Rockport and a number of years, actually I don't believe any money was allocated to this it became such a hot potato but um and then in '12 there was no money expended – could I just get an explanation of how this money is being used and what activities are underway it's a fair number of hours if it's staff time about \$10,000 so if someone could explain actually what's happening under the premises of the use of this funding. Thank you.

LINDA SANDERS: Yes I can explain that, there's no staff time whatsoever. We did appropriate this amount last year as well we didn't use any of it because what it goes to pay for is the increase in tax title takings, the legal fees, the advertising and all that. There's a bylaw that doesn't allow us to sell land

without town meeting anyway. So that's not happening. This is to get it through the process which is lengthy and the primary account used is in the Treasurer/Collector's office but the volume has gone up so much we thought we needed this, in case we needed it. We didn't touch it at all it went back and it's probably going to go back this current year. Hopefully this will go back as well.

MODERATOR: We now move to Lifeguards #215

SUSAN MORRIS, 10 Babcock Road – I'm questioning why it has gone from \$21,000 to \$45,000 unless the Town has finally decided to pay for the lifeguard at Old Garden Beach instead of the association. I'd appreciate an answer.

POLICE CHIEF TOM MCCARTHY: Now the reason for the increase is the Board of Selectmen asked me to present a budget that included all the beaches; which would be Front Beach, Cape Hedge, Old Garden and Long Beach. Front Beach, Cape Hedge and Old Garden would have one lifeguard seven days a week from 10AM to 5PM everyday and Long Beach will have three lifeguards from 10AM to 5PM every day. That's a significant increase in labor of course but they certainly felt that it was worthwhile considering the Kaley Harrison situation. In addition to that we made a number of improvements. You'll notice this year we actually painted the lifeguard's chairs red so people will be able to see them more clearly. We're also providing additional supplies such as umbrellas for the lifeguards. Often we've received complaints that people weren't seeing the lifeguards near the chairs. But what the kids were doing was putting their surfboards in front of the lifeguard chair and sitting underneath it because they had no way to get out of the sun, so they would just sit there and bake all day. This will help you and us identify the lifeguards that are there. We're also providing some additional radios, swim flags, and area buoys. We'll be working with the Selectmen to determine where the surf area is for the surfboards for the surfers and we're hoping to put buoys out there so we can designate that area and make it safer down at Long Beach. Thank you.

MODERATOR: We now move from the beaches to Thacher Island - #638 on page 44

TOBY ARSENIAN: I move we reduce, we eliminate the \$1,000.00 appropriation for Straitsmouth Island. When Paul St. Germain came before the Board of Selectmen on behalf of the Thacher Island Committee to ask the Board of Selectmen to take title to the lighthouse and 1.8 acres at Straitsmouth Island he said that if the Board of Selectmen would take title to the property from the general services administration that the Thacher Island committee or association, to be honest I don't remember which, would undertake to raise the funds to keep the place up and now here we go. A thousand dollars isn't much but it's a totally useless endeavor. There's the lighthouse, it's lovely to look at from a distance I can see it from my windows it winks beautifully green at night. It's a nice thing but the public can't get there. The Thacher Island Committee goes to a great deal of effort to provide transportation out to Thacher Island and many people enjoy it. There is no transportation out to Straitsmouth Island unless you have a boat and even then it's not safe, there is no landing. You scramble on up to the island and wind your way through the poison ivy and there's the beautiful lighthouse and you're lords and proprietors of it but you're not welcome to go into it. The doors are barred. The public isn't welcome. So what are we spending the \$1,000 for? My point is we'd be better to let it go. You'll be told that if we don't keep up the lighthouse the general services administration will take it away from us. I invite the islands committees to tell us of a single case where the general services administration has repossessed any property they succeeded in getting rid of.

SIDNEY WEDMORE: South Street and also a member of the Thacher Island Town Committee – Toby brings up a number of good points and what he describes actually is the way the island is now however hopefully it will improve and be more like Thacher Island is. When we took over Thacher Island that also was near unavailable no pass and derelict. It's changed because of the efforts of a good deal of volunteers in the town, the town's continued support and a moderate budget that was established back in '83 or '84 when the town took over the land. As far as the \$1,000.00 for Straitsmouth Toby is right when Paul St. Germain came before the town the commitment was that we the association would provide as much funds as possible for the support of the island and the operative word is for the support of the island. To date there has been raised in the neighborhood of about \$135,000 by the association to refurbish the tower. The \$1,000 town commitment is a principle if you will to acknowledge the continued commitment of the town to the island. What we hope to do with that particular \$1,000 is to provide gasoline for weedwackers and brushwackers so we can cut some new trails which the Audubon has given us permission to do on the island so as to increasingly facilitate access to the island if you can get there in your own kayak or boat. Thank you.

ERIC HUTCHINS: Actually I want to speak in opposition to the amendment and with a particular reason. One is I believe that funding to activities that are taking place on Straitsmouth are actually the best way for those who may be in opposition of spending money on advertising the town, taking care of our public assets that attract people is a super way to spend that money contrary to, so I believe that Toby's even a little inconsistent there. I think that a..trash barrels or taking care of Straitsmouth Island or Thachers is a

way that we all can take benefit of in the process of um..taking care of our public assets. We may not all go there but it is still a public asset that we all appreciate and enjoy. Thank you.

MODERATOR: I sense you are ready to vote. All those in favor of decreasing this \$1,000 budget by \$1,000 please raise your trusty placard. All those opposed please raise your trusty placard.

That motion fails.

Thus, we have gone through all of the hold items. Are we ready for a final motion? And with technology we have a figure, I believe.

MICHAEL HUGHES: Mr. Moderator, I move that the town appropriate the sum of \$25,029,692 all the items under column 5 of the Table of Estimates under Article 5 in the town meeting voter booklet General Fund and all for the fiscal year July 1, 2013 through June 30, 2014 inclusive and as funding therefore raise \$23,420,515.02 and transfer the following sums from the designated amounts for the purpose specified namely and those listed on the screen.

Moved and seconded.

MODERATOR: You've heard the motion, does anybody have any questions on what that means. All those in favor please raise your placard. All those opposed the same sign.

That motion carries. We have a budget. Thank you very much.

The Chair will entertain a motion under Article 5A.

ARTICLE 5A. To see if the Town will vote to raise and appropriate, or transfer from available funds, sums of money for any and all Town expenses and purposes including, without limiting the foregoing, debt and interest, out-of-state travel, wages and salaries, operation of the Town's Water Enterprise and provide for a reserve fund, all for the Fiscal Year beginning on July 1, 2013 through June 30, 2014, inclusive; or act on anything relative thereto. (*Finance Committee*)

MICHAEL HUGHES: I move that the Town appropriate from Water enterprise fund revenues the sum of \$1,587,910 for all items under column 4 of the Table of Estimates under Article 5A on page 46 in the Town Meeting Voters Booklet, Water Enterprise for the operation of the Town's Water Enterprise, and provide for a reserve fund if necessary, all for the Fiscal Year July 1, 2013, through June 30, 2014, inclusive.

ARTICLE 5A

TABLE OF ESTIMATES		FY12 Expended	FY13 Adj Base	FY14 Requested	FY14 FinCom Recommends
WATER ENTERPRISE					
Annual Operating Budget					
401	DPW Administration	60,848	66,457	67,454	88,454
402	DPW Direct Labor	452,062	456,563	461,419	461,419
404	DPW Overtime	15,302	18,047	18,318	18,318
405	DPW Fuel, Light and Power	181,218	161,278	171,890	171,890
406	DPW Operating Expense	185,729	171,471	194,486	194,486
	Clothing Expense	2,642	3,400	3,434	3,434
	Reserve Fund	50,000	50,000	50,000	50,000
	Maturing Debt Payment	121,000	121,000	121,000	121,000
	Maturing Debt Interest	33,094	36,277	33,094	33,094
	Temporary Interest...	-	1,125	4,488	8,763
	Total Debt Service	154,094	158,402	158,581	162,856
	Shared Employees Wages, P&B	152,525	152,525	152,525	152,525
	DPW Direct Pensions \$ Benefits	132,748	225,743	240,695	251,328
	Bldg/Liability Insurance Trust	33,200	33,200	33,200	33,200
	Transfer to Sewer	-	1,501		
	Transfers Out	318,473	412,969	426,420	437,053
ARTICLE 5A SUMMARY					
	Labor	528,212	541,068	547,191	568,191
	Energy	181,218	161,278	171,890	171,890
	Operating Expense	238,371	224,871	247,920	247,920
	Debt Service	154,094	158,402	158,581	162,856
	Reimbursement for Services				
	Authorized in the General Fund	318,473	412,969	426,420	437,053
	TOTAL	1,420,368	1,498,587	1,552,003	1,587,910

Moved and seconded.

MODERATOR: Any further discussion, if not, please look at your summary explanation and this has been recommended by the Finance Committee and the Board of Selectmen.

All those in favor please raise your placard. Opposed the same sign.

That motion carries.

We move on to Article 5B.

5B. To see if the Town will vote to raise and appropriate, or transfer from available funds, sums of money for any and all Town expenses and purposes including, without limiting the foregoing, debt and interest, out-of-state travel, wages and salaries, operation of the Town's Sewer Enterprise and provide for a reserve fund, all for the Fiscal Year beginning on July 1, 2013 through June 30, 2014, inclusive; or act on anything relative thereto. (*Finance Committee*)

MICHAEL HUGHES: I move that the Town appropriate from Sewer enterprise fund revenues the sum of \$1,943,889, which includes the sum of \$62,071 from Sewer enterprise Free Cash, for all items under column 4 of the Table of Estimates under Article 5B on page 48 in the Town Meeting Voters Booklet, Sewer Enterprise for operation of the Town's Sewer Enterprise, and provide for a reserve fund if necessary, all for the Fiscal Year July 1, 2013, through June 30, 2014, inclusive.

ARTICLE 5B				
TABLE OF ESTIMATES	FY12 Expended	FY13 Adj Base	FY14 Requested	FY14 FinCom Recommends
SEWER ENTERPRISE Annual Operating Budget				
401 DPW Administration	63,848	72,457	70,499	91,499
402 DPW Direct Labor	434,606	435,511	440,444	440,444
404 DPW Overtime	11,771.00	16,917.60	17,171.36	17,171.36
405 DPW Fuel, Light and Power	240,000	230,060	232,360	232,360
406 DPW Operating Expense	237,249	237,249	238,073	238,073
Clothing allowance	1867	2550	3434	3434
Reserve Fund	50,000	271,510	50,000	50,000
Retained Earnings Deficit Reduction	37,083	37,083	37,083	37,083
Maturing Debt Payment	341,447	391,471	375,000	375,000
Maturing Debt Interest	52,583	78,218	72,683	72,683
Temporary Debt Interest	24,750	1,750	6,981	11,856
Debt Service	418,779	471,439	454,663	459,538
Shared Employees	58,841	111,576	111,576	111,576
Pensions \$ Benefits	199,068	210,375	224,277	235,010
Bldg/Liability Insurance Trust	23,091	27,700	27,700	27,700
Transfers Out	281,000	349,651	363,553	374,286
ARTICLE 5B SUMMARY				
Labor	510,225	524,886	528,115	549,115
Energy	240,000	230,060	232,360	232,360
Operating Expense	326,199	548,392	328,590	328,590
Debt Service	418,779	471,439	454,663	459,538
Reimbursement for Services Authorized in the General Fund				
	281,000	349,651	363,553	374,286
TOTAL	1,776,203	2,124,428	1,907,282	1,943,889

Moved and seconded.

The Board of Selectmen and Finance Committee recommends approval.

MODERATOR: Any discussion? All those in favor please raise your placards. Opposed the same sign.

The motion carries.

Now we move on to Article 6.

ARTICLE 6: To see if the Town will vote to appropriate for Capital Outlay Items, such sums of money as set forth in the schedule prepared by the Finance Committee, or any other sum or sums, a copy of which schedule is on file in the Town Clerk's office, and which is incorporated herein by reference, and determine whether such sums will be raised by fees, taxation, transferred from available funds, provided by borrowing, or by any combination of the foregoing; or act on anything relative thereto. (*Finance Committee*)

Good morning I'm Wally Hess and I was the Chair of the CIPC – Capital Investment Planning Committee this year as one of my duties on the Finance Committee. I'm going to speak to the Article 6 Capital Outlay budget and describe how the CIPC arrived at the decision to recommend that we appropriate about 2.8 million dollars of investment spending this year in the General Fund plus \$900,000 in the Enterprise funds. When we started this process in August, we decided it was important to view the requests from the departments in the context of a five year plan. The departments worked very hard to organize their requests this way and we learned a lot as a result. We received over 31 million dollars worth of requests for 97 items. It took us more than a day to do this. We are recommending approval of 48 of these this year and most of the rest will need investments soon. We instructed the departments not to request money for town-owned buildings unless it was an emergency because these will be studied by an outside firm with a report expected later this year. We should expect this study to result in additional requests over this five year period especially for the schools where the buildings are now over 25 years old and about to go through a change in life. This report

also does not include millions of dollars of damages from recent storms so for planning purposes we should be thinking of a number somewhere between 40 and 50 million; if when we add up everything over the next five years. In summary, even if we decide not to invest fully in the Long Beach seawall or the Flat Ledge dam, two items totaling 18 out of this 31 million request, we will have our hands full trying to keep up with our infrastructure needs. Let's turn to page 51 of our booklet. This page represents the General Fund only and shows a total recommendation of nearly 2.8 million dollars with about \$375,000 coming from free cash. Rather than going through each number I'm going to point out some highlights, starting from the top on that page 51 – the IT department, as was mentioned earlier in the discussion of Article 5 the town has centralized its IT department so as to more efficiently deliver the service on a town wide basis. As more and more reporting and record keeping and information is shared our existing system has become overwhelmed. In addition we recommend that we renew the five year funding for maintenance and regular replacement of our computer equipment. We established a fund for this purpose five years ago and we just finished the fifth year of it and that worked fine. We think we ought to renew that concept it makes the planning much easier. Although the total request for IT appropriation comes to a \$1,090,000 notice that \$485,000 of this is for the last four years of spending for this five year plan so we're really not planning to spend all this right up front. Another component of the 1,090,000 is \$110,000 for security systems and a new fire alarm system for the schools. The Police Department in addition to the annual cruiser replacement the parking fund will be available will be able to afford new parking meters. The meter experience last summer proved very successful and the police plan to permanently continue and expand it this year once they get the approval from the Selectmen for the new parking rates. Fire Department, the Fire Department will complete its multiyear upgrade to new safety gear for the firemen and for new higher capacity fire hoses. Schools, we recommend investing \$350,000 in fixed assets that will improve safety and energy efficiency in the schools. This is in addition to the amount that I mentioned above in the IT Department. DPW we recommend investing \$936,000 for DPW items in addition to the \$176,000 for the usual equipment needs the Pigeon Cove breakwater needs repairs at a cost of \$550,000 some of which will be reimbursed by the federal government. Since we don't know the amount of that reimbursement yet we have assumed that is zero just to be conservative. The DPW requests \$40,000 to replace pilings and seawall repair in Rockport harbor with money coming from the waterways fund. Also the DPW requests \$130,000 to purchase and load data into a new software system which will allow it to identify needs plan and execute repairs and replacement of equipment, pipes, buildings and other assets throughout the town. The Article 5 budget contains a new hire to oversee the new process of scheduling that will result from this system. Buildings, there are 195,000 requests for the building projects that can't wait for the building study \$75,000 of this is the design and proposal portion of building a new DPW facility to replace the outmoded and dangerous existing facility up at the DPW yard. We should expect a request for funds to construct this new facility next year. We didn't include it in our plan this year because we don't know how much it is yet.

WALLY HESS: I move that the Town appropriate \$493,300 for the items printed on *Page 49 of the Town Meeting Voters Booklet as part of number 1 and to meet this appropriation, \$369,800 shall be transferred from Free Cash, \$83,500 shall be transferred from Parking Meter Reserve, \$40,000 shall be transferred from the Waterways Improvement Fund, and that the Board of Selectmen is authorized to take any other action necessary or convenient to carry out these projects and purchases.

*

Municipal Website	\$ 20,000
Computers, Printer & e-Storage	\$120,000
Police Cruiser	\$ 28,500
Parking Meter Upgrades	\$ 55,000
50 Lengths of 4" Fire Hose	\$ 10,000
Forest Fire Vehicle Equipment	\$ 12,800
School Office Carpeting	\$ 12,000
School Kitchen Equipment	\$ 19,000
School Bathroom Upgrades	\$ 15,000
DPW Fuel Monitoring Equipment	\$ 15,000
Harbor Wall & Piling Repairs	\$ 40,000
Pickup Truck – General Fund Portion	\$ 9,000
Riding Mower	\$ 11,000
Highway Drainage Pipe & Accessories	\$ 10,000
Railing Replacements	\$ 10,000
Bench Replacements	\$ 20,000
Trash Barrel Replacements	\$ 15,000
Computers for Library	\$ 16,000
Straitsmouth Island Lighthouse Repairs	\$ 10,000
Old Police Station Roof Repair	\$ 20,000
Town Hall A/C Improvements	\$ 25,000

Moved and seconded.

MODERATOR: Are there any questions for Mr. Hess or questions in general about this motion.

TOBY ARSENIAN: I move we decrease the appropriation by eliminating the line item Parking Meter Upgrades at a cost of \$55,000.

Moved and second

TOBY ARSENIAN: These are the meters so gifted they can dance and sing. They don't come cheap these treasures. Fifty-five thousand dollars is not the price, not nearly. Fifty-five thousand is what you pay upfront and then you will pay and pay and pay. The only way the Board of Selectmen can justify spending \$55,000.00 on new parking meters when we have parking meters that work perfectly well already is because as Mr. Hess just tipped you the hand they intend to raise the parking rates. Now you're not supposed to decide on raising the parking rates without holding a public hearing. So we're a bit previous here. There are also safety concerns about the meters. I read an article in the Boston Globe, I don't know how much you want to trust the Boston Globe, suggesting that the meters which run on microwaves, the same sort of things that power cell phones, are dangerous. I don't know whether that's true or not. I asked the Board of Selectmen to inquire of the Board of Health to check it out to find out. They've not bothered to do so. So we're about to spend or perhaps to spend \$55,000.00 on the meters which may or may not be safe. In Brookline they invested in these meters and they have since taken them out. I don't know why. Now when I say that you're going to be hit with a parking rate increase I put that to the Board of Selectmen and Erin Battistelli told me that that wasn't necessarily true that we would make more money with the parking meters because the people who are now frustrated having to put change into them perhaps go away and we'd make more money just because more people would use the meters with the little cards that they leave. I don't believe that explanation I can't possibly do justice to it so perhaps Erin Battistelli will explain it to you but you heard what Mr. Hess just said about parking meter increases. I think that that was a slip but that's the truth. I don't drive it's not my funeral.

MODERATOR: Alright you've heard the motion, if anybody wants to talk about parking meters it'll be a quarter for the first three minutes.

ERIN BATTISTELLI: Last year we conducted a three month pilot project that involved installing parking meters in certain parts of downtown that included the option of swiping credit cards. Overall in my opinion and the opinion of a number of other people involved with the project it was very successful and I believe, and Tom can correct me if I'm wrong, I think about one-third of the revenue that came in during that time frame was from the credit card option. At that time we did temporarily raise the rates we also changed the timeframes which had allowed people to put, to use those meters for five hours as opposed to two hours and that was a temporary change just to glean as much information as we could so we went back to, when the meters were taken out, we went back to the status before that pilot project and no decision has been made about raising rates or changing the times and in fact we've received a little feedback about how that impacted the shop owners, how that impacted the downtown residents and just a quick side note on Tuesday night the Board of Selectmen has a workshop planned to talk about the parking issue in general and at that point we're going to be able to set up a time for public hearing if we are entertaining any sort of change in rates or times. Our thought on purchasing the parking meters that allow you to swipe the credit cards it's mutually exclusive from raising rates or times. It's still a real convenience for people to be able to swipe the cards. I think you, if you talked to the shop owners as opposed to having everyone to have to look for quarters maybe come into the shops and ask for quarters this is a real positive option for people. I'm trying to think..address..we can certainly look into this issue that Toby had brought up about the potential health effects, we won't, if there's any research to that effect I'm sure Chief McCarthy and the people who he is working with will look into that and make sure that we don't buy parking meters that are posing health issues. I don't know if I've addressed all the questions Toby but we're in support of purchasing these new parking meters and in particular comes from the parking meter fund which makes a lot of sense. Thank you.

MODERATOR: Anybody who drives have any questions about the parking meters? Anybody who doesn't drive want to talk about the parking meters?

TOBY: I think the health issues should be addressed before we buy the parking meters. It may be utter nonsense but what if it's not and we've bought them, do we return them? It doesn't sound likely to me. When Peter Beachum first came before the Board of Selectmen with a proposal for these meters the meters were part of a much larger proposal. Mr. Beachum spoke of educating the public about the

parking problems I'm not sure that I would subscribe to the word educating and he spoke of involving the public. That sounds more appealing to me and he spoke of a parking plan and the Selectmen at the time embraced all of these proposals. But very shortly the parking plan got knocked off the table and slid under the rug and there has been no further word of it. So now we're about to have the parking meters without the parking plan. I don't think that's appropriate either.

DON CAMPBELL: 5 King Street Court – I think the option to be able to pay by credit card is a great option. My only concern would be identity theft and the security of the information contained therein and how that would be addressed. Thank you.

CHIEF TOM MCCARTHY: In speaking with the manufacturers of these particular type of meters, as far as the microwaves go and so forth they tell us that's not an issue. As far as the credit cards go when that is transmitted it's encrypted and they tell us that identity theft is not an issue as well.

DON CAMPBELL: Just one follow up Chief, have there been any assurances given by the company we're employing to do this that they guarantee the information will remain encrypted and safe within our system, does it stay in our system or is it an outside network that this information goes to?

CHIEF MCCARTHY: Well you can do it one or two ways, you can have it go directly to a bank like the Rockport National or the Granite Savings with IPS that we used for the pilot program that went into their system and we didn't have any issues with identity theft.

JONATHAN RING: In retail when you swipe a credit card through you have an average transaction that a company pays of forty-four cents per credit card transaction swipe. If somebody just puts a fifty cents in or maybe even a quarter in, do we have a reduced rate on these credit card on the credit card swipe part of it so that the town isn't losing money in the long run. Do you know how much they're going to charge the town per credit card transaction swipe?

CHIEF MCCARTHY: Yes, thirteen cents a swipe. After reviewing all the data that came in from our pilot program we realize that people that were using credit cards were putting more time in because it was simpler for them to just swipe the card –and say well I'll just for two hours I might be here for one hour, I'll put in for three hours.., so that really offset what we were spending on the thirteen cents per swipe.

ED HAND – 20 Landmark Lane – Ever since the advent of the ATM everybody or most of us are walking around with \$20s in our pockets and very little change especially as we use credit cards (for)more and more things. I've found a number of times driving into Rockport on Sunday realizing I've got to find money for the parking meter. You go into the stores and they're all looking for change too, they have signs up saying we're looking for dollars or quarters. I think from everybody's standpoint it's a real plus to be able to use a credit card in a parking meter. So I would be strongly advocate that we continue with that direction.

MODERATOR: Any further questions for the Chief, for discussions at all about parking meters?

DR. SIDNEY WEDMORE: I'm not sure about the microwave aspect but there is a health hazard. If one doesn't have to walk to the bank or walk to a store to get change, there's a few less calories expended and that's probably not in the best public interest.

Laughter and applause. CHIEF MCCARTHY: Priceless, very clever.

MODERATOR: On that note, I believe we're ready to vote on that amendment. Just that line only. All those in favor of eliminating the parking meter upgrades, please raise your placard. Thank you. All those opposed please raise your placard. Thank you.

That motion fails.

MODERATOR: Anything else before we vote?

TOBY ARSENIAN: I move we eliminate the \$10,000.00 for Straitsmouth Island lighthouse repairs. As I tried to explain we have no access to the lighthouse nor are we likely to. It is most unlikely that the General Services Administration will take it away from us they were very glad to get rid of it. The Thacher Island Association not the Town Committee has an excellent record of raising funds privately we're all greatly indebted to them, to their efforts and we should encourage them to continue and they should raise the \$10,000.00 and if you have read through the Finance Committee's good advice among

the items is one I can't do it word for word advising us not to spend money on things that we could avoid spending money on where the money could be raised in other ways than through the tax rate.

MODERATOR: Moved and seconded. Before we hear from that lady with the nice red sweater we'll talk about this for a moment and not too long because we've discussed it. Dr. Wedmore do you want to discuss?

SIDNEY WEDMORE: Yes, the conversation simply needs to be repeated. On the island the lighthouse will need repairs it is not eminently in the process of falling down; temporary repairs have been done. The estimated cost for doing the repairs is about \$200,000.00 now, \$130,000.00 has been raised by the Thacher Island Association. This \$10,000.00 will help leverage other public contributions and provide continued commitment of the town for what is part of our horizon, part of our nature and part of our fabric. Thank you.

ERIC HUTCHINS: I think this is an opportunity to..directly related to Straitsmouth for anyone in this room that doesn't know probably over the past twenty years there's absolutely no committee, volunteer committee in this town or group that has drafted as many successful grants and put in more volunteer hours than the effort on Straitsmouth Island and Thatcher's. I don't think there are four committees combined that would equal the amount of successful grants they've brought, hundreds and hundreds of thousands of dollars of outside money to support our public resources in this town. Small amounts of local money is a number one perimeter that outside funders look at when they're looking at your grant proposals, they look at your grant proposals and say: are you just asking us to pay the whole thing and you don't want to pay anything. These small amounts can be quadrupled, quintupled when the local municipality puts up a little money. I strongly support the town putting out those small amounts so they can continue to write successful grants and their track record is almost 100%. Almost every grant they've written has been successful, no one else can say that. Thank you.

MODERATOR: You've heard the motion to take away the Straitsmouth Island lighthouse repair allocation of \$10,000.00. All those in favor of that please raise your placard. Thank you. All those opposed the same sign.

That motion fails.

MARY ANN CAMP: 4 Broadway – It's just a question on clarification about what the upgrades were on the school security.

ROB LIEBOW – Martha's Lane – Monty are you here? Can you give us the specific details on that? Monty Hitschler?

MODERATOR: It's on the next one but we can talk about it.

MONTY HITSCHLER: I'm the IT Director of the town and schools. What we're addressing as far as security in the schools is both an access system that would be keycard allowing the teachers to go in and out certain hours and be more flexible than straight keys. It also would have cameras in certain places based on best practices monitoring who is going in and out of things like lockers or who is spray painting the sidewall, whatever. It also would tie into the burglar system and in addition the fire system is designed more to save the building right now as far as it's a heat sensitive it's not carbon monoxide based so we're taking a look at that and the phone system as part of the security need for the teachers to be able to communicate with the rest of the building. There should be phones in each classroom and that is not the case.

ROB LIEBOW: We see the phone system in terms of the ability to contact teachers and students within a classroom in a critical situation as absolutely being the most important thing. Right now there's no way to be able to do that to be able to have a teacher but able to call outside to the police in the parking lot or whatever and time is so critical in situations which we never want to think about. That kind of expenditure, I think is well worth our time and our money to take care of.

MODERATOR: Thank you for addressing that.

JUDY SPURR: 188 South Street – Has the school department any plans to have each of the classrooms have locks that are easily accessible?

MODERATOR: Again that's on the next motion but we'll address it since we're talking about it.

ROB LIEBOW: Superintendent of Schools – question had to do with locking of the classrooms that actually is a pretty good system now at the school which you can lock a classroom from inside and be

able to prevent entry and that is capable with a school master key so you don't have to fumble through two different keys so that is a much better set up and one of the really good things about the way the school is constructed there's the ability to go from one classroom to another classroom without going to an outside hallway. So if you have that communication system you could move students safely through the school without having somebody who is intending harm to be able to get excess to those students so being able to call that classroom and say its o.k. to move all the way down a hallway you can do that from classroom to classroom and you can also lock those classrooms off so the locking systems are really not the problem. It's the communication system that's the biggest issue that we have.

JUDY SPURR: Do you have to fumble for a key if you are in an emergency situation? Do you have to look for a key? Isn't it easier to have the doors that you just click it then to have to look for a key when you're in an emergency situation. I'm speaking as someone who was a teacher and in a classroom that we couldn't lock and I'm retired and perhaps that classroom has an easier way to lock it but I've always been concerned that that hasn't been addressed.

MODERATOR: Your comment is acknowledged, do you want to respond. You don't have to you can if you want.

Anything further?

We're now back to the first motion to appropriate \$493,300. The Finance Committee and the Selectmen do recommend approval of this. All those in favor raise your placard. Thank you. Opposed raise your placard. Thank you.

That motion carries.

Now we're on to the second motion and the discussion we just had regarding school security is applicable to this one.

WALLY HESS: I move that the Town appropriate \$2,285,200 for the items printed on pages 49 and 50* in the town meeting voter's booklet as motion number 2 and to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow the sum of \$2,285,200 pursuant to GL Chapter 44 Section 7 or 8 or any other enabling authority and issue bonds and notes therefor; and that the Board of Selectmen is authorized to take any other action necessary or convenient to carry out these purchases.

*

Municipal Fiber Network	\$215,000
School Network Phase 1	\$ 30,000
Data Center, Server & Wireless	\$110,000
School Security & Fire Upgrades	\$110,000
Computers, Printers & Storage	\$485,000
Fire Gear	\$ 76,000
Elementary School Playground Repair	\$100,000
School Stair Treads, Landings & Ramps	\$ 68,200
School Exterior Door Replacement	\$135,000
Pigeon Cove Harbor Repairs	\$550,000
Construction of Data Center in Annex	\$ 40,000
Mini Excavator – General Fund Portion	\$ 30,000
Dump Truck with Plow & Frame	\$ 56,000
Asset Management Software & Setup	\$130,000
DPW Facility Design & Construction	\$ 75,000
Library Fire Escape Replacement	\$ 75,000

Moved and seconded and this requires a two-thirds vote. Any further comment from the Finance Committee? Any discussion from the public?

PATTY EDGERTON, 86 Main Street – Could someone elaborate about the safety of the current school playground and the need for the \$100,000 borrowed of money for the upgrade. Thanks.

ROB LIEBOW, Superintendent of Schools – The biggest issue on the playground is that there was a rubbery safety surface placed underneath the equipment a number of years back and unfortunately it was put in at a poor time of year and is not adhering and simply comes up in sheets right now and a quick visit to that will show you that it's not a safe situation for kids to be on the playground

equipment at this time so what they would be doing is taking it completely out, redoing the drainage, redoing the foundation for it and not pouring another surface but putting in replaceable rubbery tiles that interlock together so if one tile fails that can be replaced so that's basically the situation there.

MODERATOR: The Finance Committee and the Selectmen recommend approval of this article. Any further discussion? All those in favor raise your placard, thank you. Opposed the same sign.

That motion carries by more than a two-thirds vote.

ARTICLE 6A. To see if the Town will vote to appropriate for Capital Outlay Items for the Water Enterprise, sums of money as set forth in the schedule prepared by the Finance Committee, or any other sum or sums, a copy of which schedule is on file in the Town Clerk's Office and which is incorporated herein by reference, and determine whether such sums will be raised by fees, taxation, transferred from available funds, provided by borrowing, or by any combination of the foregoing; or act on anything relative thereto.

ARTICLE 6A		CAPITAL OUTLAY			
Section B - Water Enterprise Fund			Paid From	Paid From	Paid From
	Description	Requested	Free Cash	Borrowing	Operations
25	Pigeon Hill Water Tank Additional Funds	250,000		250,000	
	Water Treatment Plant Capital Account	40,000	25,331		14,669
	Mini-Excavator & Attachment - Water Portion	25,000		25,000	
	F150 Pickup Truck - Water Portion	9,000			9,000
	Total Section B - Water Enterprise Fund	324,000	25,331	275,000	23,669

WALLY HESS: At the top of the page you will see the requests of the water enterprise fund. The major item here is the request for \$250,000 for the Pigeon Hill water tank. The DPW explored rehabilitation of this tank and it was determined that replacement is in the best interest of the town. The total cost of this replacement is \$500,000; \$250,000 was previously appropriated for repair but wasn't spent.

I'd like to make a motion: I move that the Town appropriate \$40,000 for the Water Treatment Plant Capital Account and \$9,000 for the Water Enterprise Fund portion of a pickup truck and to meet this appropriation \$25,331 shall be transferred from the Water Surplus and \$23,669 shall be funded from the Water Enterprise Fund Operations and that the Board of Selectmen and the DPW Commissioners are authorized to take any other action necessary or convenient to carry out these projects and purchases.

MODERATOR: Moved and seconded.

WALLY HESS: The Finance Committee and the Board of Selectmen recommend approval.

MODERATOR: Any discussion? All right, you've heard the motion, all those in favor please raise that orange placard. Thank you. Opposed the same sign.

That motion carries.

We now move on to the second motion there.

WALLY HESS: Motion #2 under Article 6A: I move that the Town appropriate \$250,000 for the Pigeon Hill Water Tank and \$25,000 for the Water Enterprise Fund portion of a mini excavator and attachment and to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$275,000 for such purposes under General Law, Chapter 44 Sections 7 or 8 or any other enabling authority and issue bonds and notes therefor, with the intent that, while such bonds and notes shall be general obligations of the town, the payment of the debt service on such borrowing be made from the Water Enterprise fund; and that the Board of Selectmen and the DPW Commissioners are authorized to take any other action necessary or convenient to carry out this project.

The Finance Committee and the Board of Selectmen recommend approval.

Moved and seconded.

MODERATOR: There's borrowing so that requires a two-thirds vote. Any discussion here? All right, you've heard the motion, all those in favor raise that orange placard. Thank you. Opposed the same sign.

That motion carries by more than two-thirds.

WALL HESS: Article 6B; please turn to page 54 of your booklet. In the middle of the page you will see the requests of the Sewer Enterprise fund. The major item here is the request for \$300,000 for the Dock Square Station Odor Control. The station is at the corner of Broadway and Main Street, in the park on the left as you are coming down Broadway behind the visitors booth. It pumps all the town sewerage up to the treatment plant at the top of Pleasant Street. The technology for odor control for the odor control component of the station is outmoded and at the end of its useful life and in the summer you can smell it. Most of the remainder of the request is for routine placement of tanks and pumps. So motion #1 here:

Oil Furnace and Tank Replacement at WWTP	\$ 75,000
Sludge Pumps & Motors at WWTP	\$ 50,000
Wet Well Cleaning at Pump Stations & WWTP	\$ 50,000
Pickup Truck – Sewer Fund Portion	\$ 9,000
Oil Tank Replacements at Dock Sq & Pigeon Cove	\$ 50,000

I move that the town appropriate \$234,000 for the items under Article 6B as printed on page 53 of the town meeting Voters booklet and to meet this appropriation \$234,000 shall be transferred from the sewer surplus and that the Board of Selectmen and the DPW Commissioners are authorized to take any other action necessary or convenient to carry out this project.

The Board of Selectmen and the Finance Committee recommend approval.

MODERATOR: And the word 6A, you can kind of just cross it out, it's a typo; it's just 6B.

You've heard the motion, any discussion? All those in favor please raise your placard. Thank you. Those opposed the same sign.

That motion carries.

We move on to the second motion.

WALLY HESS: I moved that the Town appropriate \$300,000 for the Dock Square Pump Station Odor Control System and \$25,000 for the Sewer Enterprise Fund portion of a mini excavator and attachment and to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$325,000 for such purposes under General Law, Chapter 44 Sections 7 or 8 or any other enabling authority and issue bonds and notes therefor, with the intent that, while such bonds and notes shall be general obligations of the town, the payment of the debt service on such borrowing shall be made from the Sewer Enterprise Fund. The Board of Selectmen and the DPW Commissioners are authorized to taking any other action necessary or convenient to carry out this project.

ARTICLE 6B		CAPITAL OUTLAY		
Section C - Sewer Enterprise Fund			Paid From	Paid From
	Description	Requested	Free Cash	Borrowing
26	Dock Square Pump Station Odor Control	300,000		300,000
	Oil Furnace and Tank Replacement at WWTP	75,000	75,000	
	Sludge Pumps & Motors WWTP	50,000	50,000	
	Wet Well Cleaning at Pump Stations & WWTP	50,000	50,000	
	Mini-Excavator & Attachment - Sewer Portion	25,000		25,000
	F150 Pickup Truck - Sewer Portion	9,000	9,000	
	Oil Tank Replacement at Dock Sq. & Pigeon Cove	50,000	50,000	
Total Section C - Sewer Enterprise Fund		559,000	234,000	325,000

Moved and seconded.

MODERATOR: It is supported by the Board of Selectmen and the Finance Committee and requires a two-thirds vote. Any questions or discussion? You've heard the motion, all those in favor please raise that trusty placard. Thank you. Those opposed the same sign.

That motion carries by more than a two-thirds vote.

MODERATOR: Thank you very much and I'd personally like to thank the Finance Committee for spending just literally zillions of hours working through all these issues.

I have made the following determinations as to things that are related: B,C,D and E when the first of those are call they will all be heard; F,G,H,I and K are all related H logically will go last; regarding changes to the bylaws N,O,P,Q are related, they'll be heard in order; U and V deal with zoning, leases are R and S and then finally reports are W and X.

The Town Clerk will draw the first two articles: F is first and so we will go through all of the free cash stuff with H being last; and then N so then we will go through all the bylaw things.

I will now turn the podium over to the Town Clerk Patricia Brown.

The Town Clerk acts as Moderator.

ARTICLE F (7): To see if the Town will vote to raise and appropriate or appropriate by transfer from Free Cash the sum of \$100,000 to pay for state mandated real and personal property revaluations; or act on anything relative thereto. (*Board of Assessors*)

LINDA SANDERS for Asst. Assessor Diane Lashua: I move that the Town appropriate and transfer from free cash the sum of \$100,000 to a Property Valuations Fund for the purposes of Article F as printed in the warrant.

Moved and seconded.

The Board of Selectmen and Finance Committee support this article.

MODERATOR: Any discussion? Seeing none. All those in favor raise your placard. All of those opposed the same sign.

The motion carries.

Now we'll go to Article G.

ARTICLE G (8): To see if the Town will vote to raise and appropriate or appropriate by transfer from Free Cash the sum of \$175,200 to the Capital Reserve Stabilization fund to pay for future capital expenditures; or act on anything relative thereto. (*Board of Selectmen*) (*2/3 vote*)

LINDA SANDERS for Wally Hess, Chairman of the Finance Committee: I move that the town appropriate and transfer from free cash the sum of \$175,200 to the Capital Reserve Stabilization Fund for the purposes of Article G as printed in the warrant.

Moved and seconded.

The Board of Selectmen and the Finance Committee both support this Article.

MODERATOR: Any discussion? Seeing none, all those in favor raise your placard. All those opposed the same sign.

The motion carries by more than two-thirds.

We now move on to Article I.

ARTICLE I (9):To see if the Town will vote to raise and appropriate or appropriate by transfer from Free Cash the sum of \$60,000 to a capital project account to pay for feasibility studies, design, engineering, permitting, construction and other capital improvement costs associated with Millbrook Meadow and Mill Pond, shown on Assessors Map 18 as Lot 325, and on Assessors Map 18 as Lot 319, respectively; or act on anything relative thereto. (*Millbrook Meadow Committee and Department of Public Works*)

LINDA SANDERS for Sam Coulbourn Chairman of the Millbrook Meadow Committee: I move that the Town appropriate and transfer from free cash the sum of \$60,000 to a Millbrook Park capital project account for the purposes of Article I as printed in the warrant.

Moved and seconded.

The Board of Selectmen and the Finance Committee both support this article.

MODERATOR: Any discussion?

JOHN SPARKS: 22 High Street and member of the Millbrook Meadow Committee: On page 59 in your Voters booklet, you will find the handout published by the Millbrook Meadow Committee. Please take a minute to read it. There is a paragraph on the background of the project, the use for the appropriation we are requesting, five reasons why you should approve the article, and a very brief overview of the funding building blocks covering 2013 and 2014. How many of you have visited the meadow in the past year? That's wonderful. There's a lot that's going on there. Its setting, across from Front Beach, couldn't be lovelier. It's easily accessible to residents and visitors. There is open space for children to run, as well as quiet corners to enjoy the beauty of nature. Why, then, are many of us concerned about the future of the park?

Let's take a closer look: there is a very cute picture of ducks swimming in a lake covering the grass caused by flooding last February, but what does that do to the grass and to the unfortunate trees whose trunks were submerged for days? Of course, it's necessary to wear boots in the meadow in the spring when it's soggy and muddy, but why should it be soggy? Why can't it be used year-round? The beautiful new dam is doing its job of channeling water out of the Mill Pond, right into a channel clogged with fallen blocks from failing retaining walls, forcing the stream to overflow into grassy areas.

Be sure to give the willows a wide berth, some of the limbs that have fallen to the ground are pretty large. Has the open water of Mill Pond shrunk in size, or is this just one of those tricks of getting older; did it just seem larger when we were younger? None of these conditions are normal, we've just gotten used to them. But there is good news; there are ways to fix the underlying problems. That's why we want to get started on a comprehensive restoration project.

The \$60,000 we're asking you to approve will get the process underway. We need to understand the underlying conditions. What are the options? What will it cost? A comprehensive feasibility study conducted by a firm experienced in environmental engineering and landscape architecture will answer those questions. Then we can chart a course to ensure the future health of Millbrook Meadow and Mill Pond. Now you might ask: who are "we"? The answer is you, the residents, who came in March to the first of several public visioning sessions planned, have left comments on our facebook page, and have sent us e-mails also the Millbrook Meadow Committee, whose names are listed in the handout on page 59, chaired by Sam Coulbourn; and the advisors Eric Hutchins, DPW Director Joe Parisi and Assistant Director Tim Olson, whose expertise and advice has enabled us to plan realistically.

This will probably be a five year project requiring resources, time, wisdom, and patience. Article I, if passed, will get us out of the starting gate. We will be looking into private funding and grants, as well as public sources and we do have a very visionary grant from Lura Hall Phillips trust fund it's already in possession of the town of Rockport granted by Gunilla Caulfield trustee of that fund. For which we are hugely grateful. We will be continuing to look into private funding and grants as well as public sources. But keep in mind that private donors and foundations are more likely to donate if there is significant public support. That is where you come in supporting Article I. Our hope is that the restoration will go a long way toward enhancing public access and enjoyment in all seasons, as well as benefiting the environment for wildlife and plants.

We will have to make wise choices. Doing this project the right way will be expensive up front, but will cost all of us far less in the future. And we will have a park we can all enjoy, be proud of, and more easily care for. We ask for your support of Article I.

TOBY ARSENIAN: Certainly we care about Millbrook Meadow and certainly we're going to fix it. That doesn't mean we have to appropriate \$60,000 or go for the plan that the Millbrook Committee has set forth. It's an extravagant Rolls Royce plan. There are other ways of approaching the problems. First I'd like to ask the Capital Improvement Planning Committee why this project, unlike all of the other capital projects did not go through a capital planning review. I think that's rather strange. The process is there it's supposed to be a good one. It didn't happen. This is such a proposal as the Finance Committee has warned us against; those like an iceberg with a tip outside the water and who knows what below. Congratulations to the Millbrook Meadow Committee on the \$60,000 grant. I would hope that that might do the whole project. Sixty thousand dollars from the grant, \$60,000 they're asking for here, \$120,000 that they will ask for out of the community preservation funds in the fall and that brings us to \$240,000 and we've not yet stuck a spade in the ground. A question, not a rhetorical question, how much is the whole project going to cost? I think we ought to be concerned. The Town of Rockport isn't poor, the Town of Rockport isn't rich, the town is solvent, you might say the town is middle class and like the middle class like all but the very richest of the rich we have to make choices. If we choose

to do some things, to buy some things we're not going to be able to do other things or buy other things. So again going back to the Finance Committee's advice it's not just a question of whether you want something or would like it but is this the best possible use of the money. If you're thinking in terms of open space I don't think it's the best possible use of the money. We could be buying playing fields of course that's easy to say. It's as much the difficulty to find these places as it would be to come up with the money. We could be buying open space in the watersheds to protect the watersheds. I think that would be a far better investment. There's any numbers of ways that you could use the money so rather than a Rolls Royce approach I think we should ask ourselves what would we do if spending a lot of money simply were not an option. Think of 50 or 60 years ago not an option, well we would ask the DPW to fish the stones out of the brook and chop down the ratty willow trees. The Board of Selectmen, the Finance Committee, the Planning Board, the School Committee would all volunteer to go and help chop down the invasive species and once they had volunteered we could with a good conscience ask the scouts and the high school students to volunteer also. It could be a community project. There are various ways of looking at it and various ways of approaching it. I think that this is a recklessly expensive one.

JUNE MICHAELS: Actually the Capital Improvement Planning Committee did review this in the past two years we did not move it forward because the Capital Committee looks not just at an individual projects' merits but has to compare every project with all the other capital projects and this rated below some of the other things such as the school playground and roads and Public Works and seawalls and so forth. We also turned it down for three reasons, one is that we felt it was a lower priority, second we didn't know if we had enough money to pay for it this year and later in the process when the Finance Committee took it up there was more money available which is one reason why the Finance Committee moved forward with it and the third reason was that when it was first presented to us there was a great emphasis on dredging the pond and we felt that that was a low project, a low priority. Since that time the Millbrook Meadow Committee has produced a great deal more information breaking the project down into more detail and separating out the different phases of the project such as the channel that needs to be reconstructed and the drainage and the plantings and the invasive species and the frog pond and the main pond. So the Finance Committee felt we now had more information to go forward. The Finance Committee and Capital Committee also agree a great deal can be done with volunteers which the Millbrook Meadow Committee has done well in getting together to work on it but one reason it can't all be done very cheaply and with volunteers is that when you're dealing with water and a stream there's an extremely expensive permitting process. You can't just get a bunch of well-meaning people to go down to the stream and start moving rocks around. You have to have a design and the water flow and the permitting to deal with the stream and the ponds. So after talking about it with the Millbrook Meadow Committee the Finance Committee felt they had done well in getting the \$60,000 grant and the town could match that fund and move forward with a design so that we know how much the eventual construction would be.

CHARMAINE BLANCHARD, 16 1/2 King Street and a member of the Millbrook Meadow Committee: I would like to just make a few statements to Toby's comments. #1 I agree wholeheartedly with the fact that this may seem to be an expensive project and I appreciate, as everyone on the committee does appreciate the fact that money does not grow on trees and the town has a lot of priorities. However, I disagree with Toby to state that this is a Rolls Royce project and if you heard what the Capital Improvement Committee stated I'd like to echo that. The permitting expense is truly very burdensome and if we could do it for less money, we have worked tirelessly as a committee to explore those areas but we feel that the position we're in now is not going to have a lavish outcome but a facelift to the meadow that most people who came to the visioning session wanted. We are looking to not have it become transformed into something that you don't recognize but to bring it back to what it was when it was initially put forth as a meadow to the town and second piece is there are a few specific instances in the meadow right now which have a sense of urgency. You heard Toby talk about the willows, well the willows are at the end of their life span. The crowns are almost completely gone and they are a danger to anyone who is walking down there during any kind of wind storm. My neighbor across the street was looking out her window one day whose right on the meadow and she saw a giant branch just fall off of the meadow because it was at the end of its life span. If anyone was under there they would have been seriously injured. The committee is looking at these pieces and we're looking to do specific pieces of the project that have a sense of urgency. The other urgency is the channel. Toby talked about moving the blocks out. We did explore that with the DPW and we were informed that we needed specific permits in order to reinforce the channel and pull out the sides of granite. Right now it is unsafe and any child who is standing along the side of those channels has, is in the position of getting hurt. It's also unsafe down by Front Beach on Beach Street because the culvert goes under that street and it's incredibly clogged with debris and pipes that we're not sure have any type of purpose so that is another piece that's urgent and we ask for your support because we would like to address these pieces that are first a safety issue, secondly that go into the plan to restore the meadow and give it the facelift that it much needs. It's simple to buy another piece of open space however I think that the town should take care of the open space it has first and be able to afford to care and maintain that open space before we take on anymore responsibility and I ask that the town support Article I. Thank you.

FREDERICK TARR: I think it should be known that most of this money originally is going to go for a complete comprehensive examination of this whole area. We can't say what we're going to do until we know what's possible and what's practical. We don't know if that channel should stay where it is or perhaps a new one should be put it would wind through the meadow may be more attractive and may be more effective in removing the water from the meadow. A children's playground to what extent and that is needed we've heard from a lot of young families that the school playgrounds are not always available and not always convenient to get to so a small playground down there has been very practical and very well used as a matter of fact. Eventually as I say we have to find out what's practical, what type of trees, where they should go, what we should do to prevent invasive species from invading again. All these questions have to be answered and we really need a good expert to to survey all this as well as those who have been using it because we will want to shape it to what people want. Millbrook...a..Mill pond probably should be, should be dredged and so forth that comes later maybe a nice entry way to the town a pathway down from Holbrook Court into this area again a future thing that maybe should be provided for by the study maybe we..don't..won't happen for 10, 20 years but it could and we want to make sure that things are set up so that it could be done without duplicating. Again we want to make sure that what we do now with the limited funds we have and your funds um are not going to be impractical or block something else we might want to do later. We need a comprehensive plan and that's what we're aiming at right now and then we will go about it as funds and people and permits allow us to but let's get the basics done first find out. It's a precious place downtown. Let's find out what we can do where we can do it and how we can do it and then we'll come back..aa..I hope we don't have to but we probably will..aa..with more definite plans and we'll have more visioning sessions sessions I'm sure so that there'll be more input from the town. Thank you very much.

SANDY JACQUES: First of all I'm 110 maybe 1,000 percent in favor of this project and its effort. I just have one question was the money that was donated by the trust fund donated to the town or to a separate non-town committee or commission and secondly I guess will this \$60,000 be given over to a non-town commission or will it in effect be managed by either the Selectmen or the DPW.

TOWN CLERK: It was just answered. It was given to the town for the Millbrook meadow.

SANDY JACQUES: Rather than have two bosses wouldn't the motion, I'm asking a question, I'll make a motion if it's appropriate, this money be also expended under the direction of some town entity. Perhaps the Selectmen could answer that question.

DARREN KLEIN, Kopelman & Paige through the Moderator: Obviously if this article passes it's not going to a certain board per se but it's going to an account that can only be spent on the Millbrook Park capital project.

MODERATOR: Any other discussion?

TOBY ARSENIAN: My question about the ultimate expense was not answered, \$60,000 they've got, good, congratulations and I would hope that might do the whole project. Sixty thousand today, a hundred twenty thousand in the fall and that just brings us to the spade in the ground. How much for the whole project? That's a basic question and should be answered. Really I shouldn't be asking it the Finance Committee should be asking it and we should have an answer. As for the permitting indeed it's a great hassle and there's Mr. Hutchins with his placard in the air and Mr. Hutchins professionally works with permitting and is greatly gifted at such things and an expert on it as well as being an expert on eels and we might beg Mr. Hutchins, although I have no right to say it, to help with the permitting. As for deciding what sort of trees, if we're spared the \$60,000 I'll offer the Millbrook Meadow Committee a second hand copy of Michael Dirrs manual on trees and shrubs, that's the recognized expert book and they can decide on what trees and shrubs, there are tables in the back as to what will grow in flooded ground, what has decorative foliage, decorative fruit. You'll make good decisions. The Beautification Committee is supposed to advise and so is the DPW. It isn't up to the Millbrook Meadow Committee nor their paid expensive consultants to decide there's a town process for how trees get planted on town property and I think the DPW could fish the stones out of the brook once the permitting was done and ask yourselves how would it have been done 60 years ago? Sixty thousand now is probably three thousand then and three thousand then would not have been easily parted with.

ELLEN CANAVAN: Madame Moderator, I move the question please.

MODERATOR: We need two-thirds of a vote to move the question. All those in favor raise your placards. All those opposed the same sign.

The motion carries by more than two-thirds.

All those in favor of the motion, the motion to appropriate \$60,000 to pay for the study, design,

engineering, permitting, construction and other capital improvement costs associated with Millbrook Meadow and Mill Pond shown on assessor's map 18, lot 319 and anything relative thereto.

All those approved raise your hands; and those opposed raise your hands.

The motion carries.

The Chair will entertain a motion under Article K.

ARTICLE K (10). To see if the Town will vote to raise and appropriate or appropriate by transfer from Free Cash the sum of \$75,000 to pay for a Sediment Transport Study to understand the erosion issues and the impacts of rising sea levels at Long Beach; or act on anything relative thereto.
(*Department of Public Works*)

LINDA SANDERS for James Gardner Chairman of Board of DPW Commissioners: I move that the Town transfer from Free Cash the sum of \$75,000 to a Sediment Transport Study account for the purposes of Article K as printed in the warrant.

Moved and seconded.

The Board of Selection, the Finance Committee and the Board of DPW Commissioners all support this article.

JAMES GARDNER: I thought it would be good to offer a little bit of an explanation as to what a Sediment Transport study is and why we ought to do one. As you may know, there are roughly 150 seasonal homes on Long Beach and the land those homes are on is stabilized by a seawall that spans the length of the beach. The wall was initially constructed in the 1930's and partially replaced in the 1950's but has had very little work done since that and at this point the wall is showing significant deterioration and the DPW has been working to understand what efforts and costs would be needed to refurbish the seawall.

One issue that has come up in the course of looking at the seawall is the question of what's happening to the beach itself. This is an important question because we know that a seawall can create or exacerbate conditions of beach erosion, and before we commit to placing a new wall at Long Beach, a wall that would likely last for the next 80 to 100 years, the DPW Commissioners feel that we should understand whether doing so might jeopardize the beach itself. We tried to pull together information about Long Beach to see how stable the beach has been in the past 50 years or so but found that much of the information we have is anecdotal in nature and therefore not terribly reliable. We then reached out to Coastal Zone Management which is the state agency that oversees these sorts of issues and is also the agency that provides permits for seawall construction, to help answer the question and it was their recommendation that we conduct what's known as a Sediment Transport Study of the beach.

Basically a Sediment Transport Study looks at how sand moves in a barrier beach system, and can help determine how resistant the beach is to erosion. The study we envision doing would do three things. First, it would use a variety of historic and current data to help determine how the beach has changed in the past and generally what the current condition of the beach is. Second, it would determine how stable the beach is in terms of its ability to replenish itself after an erosion event like a severe storm. Third, it would provide some computer modeling of the beach system to help us understand what the future risks of erosion are to the beach given possible rises in sea level and possible changes in storm surge. The DPW Commissioners believe this information and analysis is necessary before moving forward with any further design of the seawall and we strongly urge your support for this article.

MODERATOR: The Board of Selectmen and the Finance Committee support it. Any comments?

ERIC HUTCHINS: A number of you know that I work a lot with sea level rise issues, climate change, and beach issues throughout the gulf of Maine. I've discussed this a number of times with the Department of Public Works I'm fully supportive of this for a number of reasons...that this study takes place especially since we're looking at a 10 to 15 million dollar new seawall trying to maintain a barrier beach that doesn't want to be where it wants to be. For those of you who had a chance to go down and look at the parking lot for Long Beach this past winter its starting to blow over in locations it hasn't in the past. Projections are about up to 3 foot sea level rise by the end of this century 2 by the end of even if we built a new seawall. Things we need to start to think about is will we the public even A. have a beach to even play on will we have a parking lot to park on to even go to the beach and C. will..will there even be a beach there whatsoever. As well as the

driveway behind it the road that actually reaches the houses much of that would be under water. In potential the life span of the wall so this is an important study to understand thinking decades out (inaudible) is not a theory anymore it's very much happening and as being evidenced all around the world so this is a real important study long term many of us won't be here when it matters but if we're going to spend 10 to 15 million dollars we want to know we're spending that money right. Thank you.

TED TARR: However I would back both of the former speakers on this matter because some anecdotal knowledge shows that in years past the sand was within four or five feet of the top of the present wall now it's at the bottom of the wall about 10 or 15 feet lower. We don't know if that wall is going to be there or if the beach is going to be there much longer. This study is absolutely vital. Later on we'll be asked to let the Selectmen at their own discretion rent the properties out. We don't know what the conditions, we don't know what the terms are it would be up to them. I think before we even talk any more than a modest extension of present leases we should know what the future of this beach is. We don't want to be liable for a 13 million dollar wall replacement which according to state usual standards would multiply by a factor of 4 before the thing got built just like the bridge or anything else state projects. We don't want to be liable for liability to the cottage owners I hope they stay there we don't know. I think before we even talk about an extension of this, of the leases we should definitely get this study done and have some information to base any future agreements on. Thank you.

STEVE SHEEHAN: 12 Long Beach – And you asked earlier for a little feedback on the Voter Handbook and I'd just like to say that the booklet is exceptionally well done and extremely helpful to all of us; at least it is to me. Understanding the erosion issues and the impacts of rising sea levels is necessary at this time for many reasons but I will speak to just two today following the other speakers. The preservation and protection of Rockport's natural assets is a responsibility that all citizens share. Rockport is blessed with six beautiful beaches and voting in favor of this article is an important action to ensure that we leave these assets in the best possible condition for the next generation of families in Rockport. The foresight demonstrated by the DPW in recommending this action is an action to be, is to be commended. The second reason is the town has an important business decision to make in the next couple years it is forecasted that it will cost 13 million dollars to renovate the Long Beach seawall and from a pure business perspective investing \$75,000 now to ensure that the 13 million is invested wisely is a very good business decision to make. Now I do realize that maybe a couple people that would just like to see the seawall fall down and let the cottages float out to sea but for those people who think that remember that we the town will lose 1.2 million in annual revenues. From the cottage owners both in taxes and in lease that's about \$500,000 if I look at the budget; \$500,000 that goes to the public schools as well, that's annually. Over the last eight years it's been 7.8 million. So for the protection of the town asset and also for a sound business decision I really support this Article K. Thank you.

TOBY ARSENIAN: I very much doubt that any of us are going to get \$75,000 worth of pleasure out of reading this study. I think it very unlikely that more than ten or a dozen people will read it at all. The only point or justification in paying for the study is if we're going to proceed from the study to one or another of the courses of action that the study contemplates and what are those? Building a seawall at Long Beach, the estimate now is 13 million four hundred thousand and it will certainly go up or beach nourishment in plain English dumping sand onto the beach. Some people say there is a science behind this I guess I'm the child looking at the Emperor with no clothes. We put the sand on the beach Mother Nature takes it away we put the sand back we can go on doing it as long as we have the will and the money to throw away. Beyond that there are other possibilities. The area in back of Long Beach could be armored, the area, the roads between the houses so that it doesn't wash out in the next large storm or the houses could be put up on stilts in order to do that the Board of Selectmen would have to grant permission and presumably be the responsibility of the cottage owners. We haven't talked about the cost of the seawall but we all ought to be considering that, that's the elephant in the room.

I move that we refer this article to the Board of Selectmen to report to the 2014 annual town meeting.

Moved and seconded.

The reason to do this is that tonight if we're going to vote the \$75,000 it comes out of our pockets, nowhere else out of the tax rate. It's questionable whether it's for the benefit of the public to do this study or whether it's for the benefit of the Long Beach cottage owners. We have a seawall at Long Beach and we'll shortly be asked to spend huge sums to replace it. We have a beach also at Cape Hedge that too is eroding. I've not been there to see it but I've been told so by those who have. So we're not being asked to build a seawall at Cape Hedge, we're being asked to build a seawall at Long Beach to protect the cottages. I feel it would be reasonable to collect some of the cost of the study from the Long Beach cottage owners but that's not a choice we have here today. The only

way that can be done is if the Board of Selectmen chose to transfer some of the cost of this study and perhaps the cost of the seawall as well to the cottage owners and we'll only know about that after the lease is negotiated. We can't turn to the Board of Selectmen here today and ask how much of this do you intend to get out of the Long Beach cottage owners. They can't tell us even if they would because if they did they would not be negotiating in good faith. So if you care about how much of this cost we're going to absorb as opposed to the cottage owners you'd do well to vote for the motion and it's not just a matter of \$75,000 because how we pay for this sets a precedent for the seawall. Thirteen million four hundred thousand dollars and counting.

MODERATOR: Before we get into Toby's amendment it has been brought to my attention that in the back of this gymnasium is a very important visitor today Senate Minority Leader, Senator Bruce Tarr is with us.

Applause.

MODERATOR: Bruce you do so much for our community we want to thank you as we always do when you come here and we hope you stay for a little bit and if anybody has a baby that needs kissing or anything like Senator Tarr will be back there and willing to kiss that baby.

So now we have a motion to refer this for further study, so any discussion for moment will be addressed to that issue.

HAROLD MALLETTE: 133R Granite Street, Pigeon Cove – I support Toby's amendment. I sympathize with the Long Beach homeowners and the storms but when you live by the ocean you take your chances and you often have to pay for repairing your own damage. I support Toby's amendment that this requires a lot of study and I support Mr. Tarr's comments that serious consideration should be given based on this study to how any future leases are handled. Thank you.

SANDY JACQUES: I think that to do a study to do a study borders on what they say about a..well I won't get into that but I think that this study is what we need. We don't need in all due respect that the Selectmen create another committee to study whether we need a study. I think that this is a study that is long overdue, in fact it only, my understanding anyways it only recently came up that we needed to do this Sediment Transport Study at all. It had not been on the agenda or on the sights of the group prior to this and I'd been involved with that group I had never heard of it until the state came up with this question. I think the study is needed it's a reasonable price and we need that information to then move forward. To do a study to do a study doesn't make sense. Thank you.

NANCY TEDESCO: 65 Pigeon Hill St. – I grew up in this town but I'm also related to a family that has a cottage on Long Beach. I have lucky to have the best of both worlds. The cottage owners are not I get the impression that Toby feels that they're an elite group. The cottage owners pay year round taxes for property they don't even own the land to as well as their buildings. They support this town. They're only allowed to be there six months out of the year and yet they don't have the same rights as we do as year round citizens. They do bankroll a good part of our town's budget and I feel that this study is long overdue. It will help us as a town to direct our funding to the best solution whether it be a renourishment study which or repairing the seawall and as far as beach nourishment studies they do it in Florida on the gulf coast to repair when there have been large storms that have swiped the beaches away. There is evidence that this does work but let.. I think to make the initial investment and to support the others um commentators in this we need to make this study happen now instead of cont. putting it off where it's going to be more expensive and put everything else ya know on hold. I think it's a more judicious way to find out how best to spend the money for the whether it be for repairing the seawall or renourishing the beach but all costs not just to protect the cottages but to protect the beach for all the families of Rockport.

MODERATOR: Before we go any further I would like to thank our microphone runners so let's give them a round of applause.

CAROL SULESKI: 106 Long Beach – I move the question.

MODERATOR: Move the question takes a two-thirds vote and this is just the question on whether we should refer this to study to further study. (noise) You want to restate your motion, you can.

TOBY ARSENIAN: I did not suggest another study that was no part of the motion. I said to refer it to the Board of Selectmen to report to the 2014 Annual Town Meeting and I hope I made it clear so that we would know how much of the cost we would bear and how much the Long Beach cottages would bear. God forbid we should have another study.

MODERATOR: So now the motion is two-thirds whether this question shall be moved. So all those in favor of moving that question. (audience noise) We're not voting on his motion, we're voting on

whether we're going to vote on his motion and end further discussion on it. So now this is just a motion as to whether we're moving the question. O.K. All those in favor, good thank you. All those opposed. Motion passes.

All right so now the question is whether to refer it to the Selectmen for them to report back to the town to the 2014 annual town meeting. All those in favor of that raise your placards. All those opposed the same sign. That motion fails.

So now we're back to talking about the motion itself which is to fund the sum of \$75,000 and are there any additional comments on that because I get a sense that you're ready to vote. One more comment.

ERIC HUTCHINS: For those of you that actually have your annual report with you. I..even now or before you leave on page 43 of this there happens to be a picture in your annual town report that is a picture of the sewer manhole that was built when we sewer Long Beach less than maybe ten years ago if you notice it's three feet sticking out of the ground. Our infrastructure is already popping out of the ground down there due to erosional processes. I want you to just take a peek at that that's what that picture is. The other comment that I want to make is..to make it clear I've been hearing that people are saying charge it to the to the people that live there so we can figure out if we want to rebuild the wall or nourish the beach. Those are two of many possible alternatives. Those aren't the only two. No one's determined the alternatives yet. Frankly one of the alternatives may be get out of there all together that could be an al..a logical alternative somewhere down the line is abandon Long Beach, maybe maybe not. So there is no predetermined alternatives or choices at this time. Thank you.

MODERATOR: You've heard the motion. All those in favor voting to raise and appropriate or appropriate by transfer from available funds the sum of \$75,000 to pay for a Sediment Transport Study to understand the erosion issues and the impacts of rising sea levels at Long Beach please raise your placard. Thank you. All those opposed the same sign.

The motion carries.

We move on to Article H which will then be followed by N,O,P and Q.

ARTICLE H (11). To see if the Town will vote to raise and appropriate or appropriate by transfer from Free Cash the sum of \$185,113 to the Other Post Employment Benefits (OPEB) trust fund created under Article N of the April 3, 2010 Annual Town Meeting to cover future benefit obligations to retired employees; or act on anything relative thereto. (*Board of Selectmen*)

LINDA SANDERS for Michael Hughes, Chairman of the Finance Committee: I move that the town appropriate and transfer from free cash the sum of \$58,257 to the Other Post Employment Benefits Trust Fund for the purpose of Article H as printed in the warrant.

Moved and seconded.

The Board of Selectmen and the Finance Committee both support this article.

MODERATOR: O.K. as it has been discussed with you and I will read: Dear Voters, this amount may change at Town Meeting based on the use of Free Cash in other articles and so that sum again is \$58,257. You've heard the motion, you have reviewed the summary explanation all those in favor please raise your placard. Thank you. Opposed the same sign.

The motion carries.

MODERATOR: We move on to Article N.

ARTICLE N (12). To see if the Town will vote to amend Chapter 13 of the Code of Bylaws, entitled, "Commerce and Trade" to include a new Section B(2), "Criminal History Check Authorization", as follows:

1. In accordance with the provisions of M.G.L. c.6, §172B½, the Police Department shall fingerprint the persons listed below and conduct state and national fingerprint-based criminal history checks for such individuals. To carry out these criminal history checks, the Police Department shall be authorized to utilize Federal Bureau of Investigations records; provided, however, that such records shall not be disseminated to unauthorized entities and shall be maintained and disclosed in accordance with law.

The licensing authority is hereby authorized to deny an application for any license specified herein, including renewals and transfers thereof, from any person who is determined unfit for the license due to information obtained pursuant to this by-law. Factors that shall be considered in making a determination of fitness shall include but not be limited to whether the record subject has been convicted of, or is under pending indictment for, a crime that bears upon the subject's ability or fitness to serve in that capacity, including any felony or a misdemeanor that involved force or threat of force, possession of a controlled substance, or a sex-related offense.

2. All applicants for Hawkers and Peddlers, Door-to-Door Sales, Pawn Brokers, Solicitors, or Taxi and Livery licenses, and for any license to sell alcoholic beverages, including the "responsible manager" listed on the license application, shall be subject to the requirements of this by-law.

3. The Board of Selectmen, in consultation with the Chief of Police, shall promulgate regulations for the implementation of this by-law, which may include, but shall not be limited to; establishment of submission deadlines; procedures for making recommendations to the licensing authority or making a licensing decision as a result of such criminal history check; procedures for accessing, correcting or amending any such record; and criteria for fitness determinations in addition to those set forth in Section 1 of this by-law.

4. The Police Department shall charge a fee of one hundred dollars (\$100.00) for each fingerprinting and criminal history check. A portion of the fee, as specified in M.G.L. c.6, §172B½, shall be deposited into the Firearms Fingerprint Identity Verification Trust Fund, and the remainder of the fee shall be retained by the Police Department for costs associated with the administration of the fingerprinting system.

; or act on anything relative thereto. (*Board of Selectmen and Government & By-Law Committee*)

LINDA SANDERS for Frances Fleming: I move that the town amend Chapter 13 of the Code of Bylaws, entitled "Commerce and Trade" to include a new Section B (2), "Criminal History Check Authorization" as printed in the Warrant.

Moved and seconded.

MODERATOR: That is printed on page 63 and 64 of your Voters Booklet.

The Board of Selectmen and the Government & Bylaw Committee both support this article.

MODERATOR: O.K. from the town Government & Bylaw Committee:

ROB SONIA: 12 Tarr's Lane – The actions proposed by Article N were originated by the Massachusetts Police Chiefs Association. Their organization provided a specimen tax for a bylaw or ordinance and this in turn was proposed to the Selectmen by Police Chief McCarthy. Our committee looked into how several other cities and towns in the Commonwealth handle the matter among these was the town of Norton who town counsel also worked for Kopelman & Paige the same law firm that our town works for. We discovered that they had introduced significant simplification and clarification into the model tax and we sought the guidance from our town counsel. We received a supportive letter from Lauren Goldberg another attorney at Kopelman & Paige containing suggestions for the application of the proposal regulations to the Town of Rockport. The Bylaw Committee voted unanimously to support the Norton tax as modified by Attorney Goldberg and to forward the same to the Board of Selectmen with our recommendations to use it in lieu of the Massachusetts Police Chiefs Association authored specimen of the bylaw.

MODERATOR: Thank you and on behalf of the Town thank you for your committee's work.

FRANCES FLEMING: We on the Board recommend your support of this proposed bylaw. We feel it will provide greater protection for the health, safety and welfare of the residents of Rockport. It would require applicants for licenses who wish to conduct the specific activities listed in Article N, to submit to fingerprinting by the Rockport Police Department, who would then conduct criminal record background checks based on the fingerprints. The Board of Selectmen would then consider the results of these background checks to determine whether or not to grant a license.

We consider this to be especially important for vendors or solicitors who wish to go door to door. Once again, we recommend your support for this proposed bylaw.

MARY FRANCIS: This is just a question clarification. So if I wanted to fill out a request to have a

party at the Community House and I wanted to serve alcohol there and I'm willing to pay to have a licensed bartender do it does that mean I have to pay \$100 and be fingerprinted and have, what is it, what kind of check is it, what kind of criminal, is it a CORI check, what kind.. I have plenty of CORI checks. Ah, clarification on that.

LINDA SANDERS: Just to clarify that for those who want to have parties at the Community House and have alcohol if you're serving it you don't need a license to do that you need a license to sell.

(Audience noise)

MODERATOR: The question is whether a fund raiser like say the Rotary Lobsterfest.

DARREN KLEIN: Kopelman & Paige – I think it might be up to the discretion of the Police Chief in that instance. Again, the bylaw does cover the sale of alcoholic beverages so if you were doing a fund raiser at the Community House and it was \$25 to come to the dance and there's beverages being sold I'm not sure that would necessarily would need a license to sell alcohol. If you were selling per drink then you might have to apply for the license and you would be subject to the bylaw.

(UNKNOWN) So Hawkers & Peddlers, does that include girl scouts selling cookies?

MODERATOR: Please identify yourself for the record.
EDWARD HAND, 20 Landmark Lane.

MODERATOR: The answer I'm getting from the Town Administrator is no.

TOBY ARSENIAN: I too was going to ask about girl scout cookies and I don't feel that the Town Administrator's answer is satisfactory because here we have the law written and clearly it applies to the girl scouts who are going to be fingerprinted but we're not going to fingerprint them so it looks to me like right at the start we're aiming for some people and not for others. Now I don't like door to door solicitors I shut the door right in their faces. O.K. many people are frightened of them and feel threatened and I see that there is sense that there is support for the bylaw. I think the Chief's concerns are sensible, valid but if it is a right, and I'm not sure it should be, to go door to door hawking things we're not making it impossible but we're making it a lot harder and a lot more expensive for these people who are financially and perhaps socially at the bottom of the barrel. I don't know whether that's a cost you're willing to undertake in order to have the security or not. That's not the whole picture. On top of this hundred dollars, which I feel is excessive, it's excessive but it's that or nothing because it's what the state has designated on top of the hundred dollars the Board of Selectmen charges the unfortunate and unwanted hawkers and peddlers a fee. What is that fee for? So we charge them twice for the same thing. They get to pay a hundred dollars to have their fingerprints and doubtless their intestines and ancestry investigated and then they get to pay on top of that again.

DARREN KLEIN: Through addressing the first part of Toby's question, again this applies to applicants for the licenses, for the types of licenses that are listed so unless somebody tells me otherwise I don't believe girl scouts currently are required to apply for a license so they would not, this bylaw would not apply to that type of fund raising. It would apply to the type of businesses that are currently required to apply for whether it's a Hawkers or Peddlers or a door to door salesperson license. Those people would now be subject to the bylaw but the groups of people that are not currently subject to license requirements this bylaw would not apply to them anyway.

J. WILLIAM BRESLIN: 119 Main Street – I think that this is a very good intentioned ordinance. I think its fine I have no opposition these kinds of checks, however I think as it's currently written it's really poor legislation in that you don't deal with the questions that have been raised; I think it should be rewritten before it's acted on. There's nothing as bad as bad legislation. I think it should be fixed before it becomes enacted. What about people like Jehovah Witnesses or college students who are selling magazines? There are questions, legitimate questions that have been raised and I think it's inappropriate to vote for this at this time. I think it should be fixed.

MR. RING: I'd like to make a motion to delay this for further study by the Board of Selectmen and report it at the 2014 town hall meeting or further study by the Bylaw Committee as well. The reason I make the motion is just cause there's so much confusion and also definitions of what a, of what solicitor is because a lot of people when they see no solicitations signs there's confusion about what that means too and it does have specific legal definitions that certain activities like just going door to door when you're not selling something doesn't meet. So I think, um putting in an index of definitions of various terms as well as making it more clear would be absolutely necessary to make the bylaw more effective. Thank you.

MODERATOR: So now the question is whether this needs to be referred for study and I just want to remind everybody that if you take out the middle language it does say all applicants for...licenses so these are just people who apply for licenses.

PAUL MURPHY: Many cities and towns across the Commonwealth are taking a more active role in adopting the citizen fingerprinting bylaw to protect people in the state. As many of you know, Rockport has a very large senior citizen population and unfortunately there are people that purposely and systematically prey on senior citizens for monetary gain. The purpose of this law is to protect the health and safety and welfare of the people in Rockport. The Police Department often gets calls about Hawkers and Peddlers going door to door offering items for sale or offering services like paving your driveway or chimney sweeps. When the police catch up with these individuals most often they do not have permits from the town or any identification. If the bylaw passes the applicant shall as stated early submit to fingerprinting by the Rockport Police Department. The Police Department shall conduct criminal record background checks based on the fingerprints and the town will consider the results of such background checks to determine whether or not to grant a license. Simply put this proposal bylaw is to protect the citizens of Rockport not to invade their privacy. I whole heartedly support this.

MODERATOR: The town counsel reminded me that your bylaws do provide for these definitions in Chapter 13 Commerce and Trade, Licenses there's sections talking about what all of these things means. This particular bylaw should not be considered in a vacuum it should be considered within very clear sets of guidelines that are established both under Mass law and in our town bylaws. The motion on the, right now before us is to whether to consider this for further study I think we're ready for that question. All those in favor of referring it for further study please raise your placards. Thank you and all those opposed the same sign.

That motion fails.

So now we'll either consider it further or we'll vote on it. Any further discussion on it?

CAMERON SMITH: 10 Rowe Point – I was all for this until we heard the comment that most of these hawkers don't apply for registration in the first place and therefore they wouldn't be subject to this measure. They may be breaking the law by not applying for the Hawkers license but it sounds to me like maybe we're trying to solve the wrong problem and if anyone would like to make a comment on that that would be fine. But I think in the meantime we seem to be barking up the wrong tree. Thank you.

CHIEF MCCARTHY: We originally proposed this bylaw for the very reasons that you've already heard. Often times we encounter these people that going around and they're soliciting or they're trying to sell you either merchandise or magazines and oftentimes they do not stop at the Selectmen's office. When we do catch up to them we have them go down to the Selectmen's office and apply for an application. At doing so then they would have to meet that criteria or they leave town. We have made arrests in the past on these people that solicit in our town generally for warrants when we run a warrant check on them often times we do find that they have a criminal background, they do have outstanding warrants. I do ask you to support this article, it's very important for the people of Rockport for their protection particularly for the elderly. Roger Lesch is here in the audience he is constantly working on scams and he's constantly working on fraud particularly the elderly. This is really geared toward them to protect the elderly and I for your support. Thank you.

MODERATOR: All right, you've heard the motion. All those in favor raise your placards. Thank you. All those opposed the same sign.

The motion carries.

We will now entertain a motion under Article O.

ARTICLE O (13).To see if the Town will vote to amend the Chapter 13 of the Code of Bylaws, entitled "Commerce and Trade", Section A(2), "Signs", by:

- inserting in subsection (b)(i) the words "and Downtown District" after the words "General District";
- inserting in subsection (c) the word, ", DOWNTOWN" between "GENERAL" and "AND";
- inserting in subsection (c)(i) the word "Downtown," after "General" in the first and last sentences; and
- in subsection (d), deleting the words "Second Offense: \$25.00, Third Offense \$50.00, Fourth and subsequent offenses: \$100.00", and replacing them with "Second and subsequent offenses: \$100.00"; or act on anything relative thereto. (*Board of Selectmen and*

Government & By-Law Committee)

LINDA SANDERS for Paul Murphy: I move that the Town amend Chapter 13 of the Code of Bylaws, entitled "Commerce and Trade", Section A(2), "Signs" as printed in the Warrant.

Moved and seconded.

The Board of Selectmen and Government & Bylaw Committee both support this article.

MODERATOR: So we're on page 65. You've heard the motion. All those in favor please raise your placard. Thank you. Those opposed the same sign.

The motion carries.

We are now going to Article P also on page 65.

ARTICLE P (14). To see if the Town will vote to amend Chapter 2 of the Code of Bylaws, entitled "TOWN MEETINGS", by revising Section 2(b), "Meeting Dates", by:

- deleting the word "Saturday" and replacing it with "Monday evening"; and
- deleting the word "second" and replacing it with the word "third"

; or act on anything relative thereto. (*Board of Selectmen and Government & By-Law Committee*)

LINDA SANDERS for Erin Battistelli, Chair of the Board of Selectmen: I move that the Town amend Chapter 2 of the Code of Bylaws, entitled "Town Meetings", by revising Section 2(b), "Meeting Dates" as printed in the warrant.

Moved and seconded.

The Board of Selectmen and Government & Bylaw Committee both support this article.

EILEEN FORD: 25 ½ King Street – I want to thank the Bylaw Committee for doing this, for trying to find a solution to the Easter, Passover thing that I for one, am one of the ones, complaining about every few years that I have to miss town meeting but I'm not going to be able to vote for this because I was here last year for the evening town meetings, Spring town meeting, and it was like a meeting on steroids. I've never seen anything fly by so fast and at this age I can't figure out simple stuff at night, let alone budgets and everything else too. I do love town meeting and I will vote against this because I would rather miss an occasional town meeting for the rest of my life then miss all of them and I'm not sure if I'm the only old person who doesn't appreciate night meetings but I would much prefer especially with this new system, which I thank everybody in this room for, this is terrific. We'll be out early probably so why can't we keep this system on any Saturday that you pick. But I can't vote for the afternoon one. Thank you.

MODERATOR: Just to respond to you quickly, first of all you are not old and secondly it does solve the Easter thing but it doesn't solve the Passover thing but I guess it would solve the Sabbath thing. Anyway, there you have it.

EILEEN FORD: I still rather have daytimes. Thank you.

FREDERICK TARR: We used to have them on night times regularly and we spent most of the time on the telephone trying to get people to come (cause) we didn't have a quorum, we had a quorum in those days but I'm thinking of the people who work in Boston you get in maybe at 6:30, 6:40, 6:45 from the train you didn't even have time to go to the bathroom before you have to come to town meeting and they're tired, a lot of people will find it very difficult yes and older people don't like to come out at night until 11 or 12 and what happens a second night and so forth. Quite frankly as I say we have tried in the past evening meetings and I don't think the last one worked too well either and I would prefer rather than take up nights and have people leave work early to get here on time and I think our commuter population are very important to the town..we should leave it for daytime town meetings, take one day a year one Saturday a year I don't think that's asking too much to run a town and leave it as it is. Thank you.

ROGER PERKINS: The biggest thing about having it in the evenings will we have the people here to do the voting. When this thing gets going by the end of the day there's no one here to vote on hardly anything. There's only about a dozen here voting, could be voting on a million dollars and nobody else knows what we voted on. I think we need to go back to nights. Thank you.

ERIN BATTISTELLI: As Miss Ford pointed out last year the town meeting would have been held on the weekend of Passover and Easter had we followed the bylaw and so as many of you know we moved it to the following Monday night and members of the Board of Selectmen did receive a significant amount of positive feedback from people so we thought well let's bring that issue to town meeting and see what town meeting thinks about that. The goal always is to increase participation so as you've noticed the last couple of town meetings starting with last April we've tried to streamline the process. You've noticed the change in format where individual Finance Committee members, individual Selectmen members are not walking to the podium and walking back constantly so that's cutting back the process and I think I understand what Eileen is saying about the first time we did it seemed to be a little quick. You're noticing today seems to be sort of finding its gear a little bit and we hope to continue along that route. So we wanted to bring it to town meeting see what you think. We think that we might increase participation based on some of the feedback that we heard from young families, that they liked that evening meeting but let's talk about it and see if we want to change the bylaw. Thanks.

ELAINE CLARK: 7 Landmark Lane – Is there any reason, I haven't read the bylaw, but is there any reason we couldn't have it on a Saturday but late enough in April so it would not conflict with Easter or Passover. I don't know how those dates fall but should think late April might avoid that problem.

MODERATOR: I think somebody will be able to give you the history on that. Over the years it's been tried different times and we've gone back and forth with holidays versus when the votes have to be, you know, on elections and in time for budgets and weather issues and a whole bunch of things. But if anybody has, wants to give us some kind of a history lesson on this that would be helpful.

FREDERICK TARR: Again very briefly I agree with Mrs. Clark I think that a..lot of towns have moved their town meetings actually to May because it's closer to the end of the fiscal year and figures a little more clear so I don't think there's any reason not to move the town meeting closer to May or if it's going to conflict beyond the April holidays.

KATHRYN CAHILL: Katie's Gift Shop, 3 Mount Pleasant Street – Some of us work on Saturdays as well so there's not going to be a perfect time for everybody. If it's important you do the best you can.

MIKE LAMOUREUX: 128 South Street – I'm against moving it to Monday evening only because we've been here four hours already if we had started in the evening we'd be postponing the meeting to go to Tuesday night so I'd rather go one day – go 6 or 7 hours get it over with – instead of going two nights so it's not just moving it to Monday. We're basically talking moving it from Monday and Tuesday so I'd be against moving it.

MODERATOR: You've heard the motion. All those in favor please raise your orange placard. All those opposed the same sign.

The motion fails.

ARTICLE Q (15) To see if the Town will vote to amend Chapter 3 of the Code of Bylaws, entitled, "ELECTED OFFICERS", Section 1, "Annual Town Elections", by deleting the word "fifth" and replacing it with the word "sixth"; or act on anything relative thereto. (*Board of Selectmen and Government & By-Law Committee*)

MODERATOR: There is no motion under Article Q.

So it's going to be Article B followed by C followed by D, followed by E.

ARTICLE B (16). To see if the Town will vote to raise and appropriate or appropriate and transfer from Free Cash the sum of \$3,000 or any other sum, for Action, Inc.; or act on anything relative thereto. (*Board of Selectmen*)

ROGER LESCH: 39 School Street – Member of the Board of Directors of Action: I move that the town raise and appropriate the sum of \$3,000 to be expended under the direction of the Board of Selectmen to fund a grant to Action, Inc. 180 Main Street, Gloucester, MA.

Moved and seconded

ROGER LESCH: I am here representing Action, Inc., a non-profit, Community Action Agency serving Cape Ann communities. The main office is at 180 Main Street in Gloucester, with satellite offices in Ipswich and Rockport. Our mission: To improve the lives of disadvantaged individuals and families on Cape Ann and beyond by minimizing the effect of poverty, promoting economic security, and advocating for social change. Services are provided to low-income and elderly residents through: access to public benefits and referrals; housing assistance and affordable housing; fuel assistance and energy conservation services; case management; home care for the elderly and disabled adults; job training and adult education; alternative high school programs; emergency shelter. In addition, Action, Inc. operates Project Uplift, the annual holiday toy drive for needy children.

Between 2011 and 2012, 7007 disadvantaged individuals from throughout the Greater Cape Ann area were assisted; 703 were from Rockport. Over recent years, there has been a steady increase in the number of Rockport residents Action, Inc. serves. The number went up by 181 between 2010 and 2011, and by another 57 between 2011 and 2012. Action, Inc.'s Rockport satellite office is located in the Senior Center which makes services easily accessible to Rockport residents in need. We hope to continue to expand the services offered there.

Funding for the services of Action, Inc. comes from various state and federal grants as well as contributions from the communities we serve. Funding has been cut for many of the non-profit programs, significantly affecting the number of services provided. Action, Inc. has enjoyed the relationship and support shared for many years with the Rockport community and we look forward to a continued partnership. Therefore, I am requesting you continue to support this worthwhile agency by granting \$3,000 to be used solely for services for Rockport residents.

TOBY ARSENIAN: I move we add \$3,000 to the appropriation for Action Inc. and earmark that second \$3,000 for the homeless shelter. Shortly this afternoon when we're done discussing and disputing we all have comfortable homes or apartments to go back to, not everyone is so fortunate. So far as we know there are no homeless people in Rockport. We don't provide any place for the homeless to stay. Gloucester provides a shelter for the homeless, Action Inc. provides that shelter. Just think what a stink what an unpleasantness there would be if someone proposed to open a shelter for the homeless here in Rockport. We're safely, we're spared to all that. We're safely off the hook. Generosity is a fine thing the key question is can we afford it? I can't answer that question for you but I can tell you that if your property is assessed for \$500,000 and we pass this additional \$3,000 appropriation you will be paying an additional 90 cents on your tax bill in the coming year. I hope that we can afford it.

MODERATOR: I was just having a conversation with town counsel and while that's a wonderful and a generous thing we also have a limitation that's on asking for more than there is in a warrant article. If it were a little bit more based on that language I would allow it but while it's only \$3,000 it is in fact doubling the request. So I'm going to say that that part of it is out of order. If in fact you would reduce that to \$1,000 then I think that we could vote on that.

TOBY ARSENIAN: Laws do change and so do interpretations of them. In the past the Moderator allowed it but now we know better. I ask to change the motion that I offered to \$1,000 additional for the homeless shelter.

MODERATOR: Now we're voting on the amendment to add a \$1,000. It's been seconded. Any discussion on that?

All those in favor of vot..

BARBARA SPARKS: 22 High Street – I don't want to sound like a curmudgeon. I think we should keep in mind that the Community Preservation Committee gives I think about \$100,000 a year to Action so Rockport certainly does support Action.

MODERATOR: This is now an amendment to add \$1,000.

MARY FRANCIS: Additional information, Community Preservation is asked to give to a particular program of Action which supports..helps people stay where they are. It doesn't help the homeless who don't have a home.

MODERATOR: O.K. the motion is to add \$1,000 to the \$3,000. All those in favor raise your placard. Thank you. Opposed the same sign.

That motion carries.

Now the motion is to...

CAMILLA AYERS: 135A Main Street –If I heard Mr. Arsenian correctly that was to add \$1,000 that would be earmarked for the homeless shelter and not just going to general Action budget.

MODERATOR: That is correct. So now the motion is to raise and appropriate and transfer from available funds \$4,000 - \$3,000 as printed, an additional \$1,000 as limited by Toby for homeless shelter. Question about that?

JONATHAN RING: 9 Pooles Lane – That \$1,000 is earmarked for a homeless shelter and Action Inc. doesn't do homeless shelters where does that \$1,000 go? I think I may be..just a clarification I guess.

ROGER LESCH: I didn't understand, I thought he said something about Action doesn't operate a homeless shelter.

MODERATOR: I believe that is what he said.

ROGER LESCH: They certainly do.

MODERATOR: All right, all those in favor of the motion as amended please raise your placard. Thank you. Opposed the same sign.

That motion carries.

The Chair will entertain a motion under Article C.

ARTICLE C (17)To see if the Town will vote to raise and appropriate or appropriate and transfer from Free Cash the sum of \$3,000 or any other sum, for Healing Abuse Working for Change (HAWC); or act on anything relative thereto. (*Board of Selectmen*)

PATRICIA BROWN for Paula Gomez Stordy: I move that the Town raise and appropriate the sum of \$3,000 to be expended under the direction of the Board of Selectmen to fund a grant to HAWC, 27 Congress Street, Salem, MA.

Moved and seconded.

MODERATOR: You have heard the motion. All those in favor please raise a placard. Thank you. Opposed the same sign.

The motion carries.

The Chair will entertain a motion under Article D.

ARTICLE D.(18) To see if the Town will vote to raise and appropriate or appropriate and transfer from Free Cash the sum of \$3,000 or any other sum, for SeniorCare, Inc.; or act on anything relative thereto. (*Board of Selectmen*)

PATRICIA BROWN for Selectmen Paul Murphy: I move that the Town raise and appropriate the sum of \$3,000 to be expended under the direction of the Board of Selectmen to fund a grant to SeniorCare, Inc., 5 Blackburn Center, Gloucester, MA.

Moved and seconded.

MODERATOR: There is a summary on page 56. You've heard the motion all those in favor please raise your placard. Thank you. Opposed the same sign.

That motion carries.

The Chair will entertain a motion under Article E.

ARTICLE E.(19) To see if the Town will vote to raise and appropriate or appropriate and transfer from Free Cash the sum of \$3,000 or any other sum, for The Open Door; or act on anything relative thereto. (*Board of Selectmen*)

PATRICIA BROWN for Selectman Paul Murphy: I also move that the Town raise and appropriate the sum of \$3,000 to be expended under the direction of the Board of Selectmen to fund a grant to The Open Door, 28 Emerson Avenue, Gloucester, MA.

Moved and seconded.

MODERATOR: There is a summary and the Board of Selectmen and the Finance Committee support this article. Any discussion? You've heard the motion, all those in favor please raise a placard. Thank you. Opposed the same sign.

The motion carries.

The Chair will entertain a motion under Article U. On pages 69 to 77.

ARTICLE U (20).To see if the Town will vote to amend Section IX of the Zoning By-Laws, "Site Plan Review", by:

1) Amending Section C., "Informal Discussion", by deleting the text in its entirety and inserting in place thereof the following:

C. Pre-Application Procedures

Site Plan Review can be a two-stage process. The first stage, or Pre-Application, is designed to identify the technical information most necessary to be included for each Application, and the technical information not required for the Planning Board to review a specific project. Those Applicants wishing to seek waivers from the required technical submissions listed in Section IX.E. may submit a Pre-Application Form to the Planning Board. The form lists the technical information required in Section IX.E., and the waivers which the Applicant is requesting. The submission of a Pre-Application is followed by a consultation between the Applicant and the Planning Board scheduled at a regular meeting of the Planning Board. This Consultation is designed to identify the technical information that will need to be submitted for a full Application and the technical information that the Planning Board will consider waiving at the first public hearing. The Consultation also provides direction regarding officials who must be consulted, and the number of copies of application materials to be included with the Abbreviated Application. Information required for all Applications must be in the form and detail listed in Section IX.E. unless a waiver request receives preliminary approval. Applicants not invited to submit an Abbreviated Application must comply with all submissions in Section IX.E. for an Application.

The second stage for Applicants submitting a Pre-Application is the formal submission of the Abbreviated Application. For Applicants submitting a Full Application, the first stage is the formal submission of the fully described below in Section IX.D. For Applicants who submit a Pre-Application that has been approved for an Abbreviated Application, the Application includes only the technical requirements the Planning Board indicated they would not waive, and the number of copies that were deemed necessary by the Planning Board. The Planning Board formally votes on the waivers at the first publicly noticed meeting.

2) Amending Section IX.D., "Procedures", first paragraph, by deleting the words "Applicants for site plan approval" and inserting in place thereof the words, "Applicants who are required to prepare a Full Application".

3) Further amending Section IX.D., by inserting a new unnumbered paragraph as set forth below after the words, "The appropriate fee shall be included.", and placing the remainder of the text in a new third paragraph:

Applicants who were invited to submit Abbreviated Applications through the Pre-Application Consultation must submit the material identified in that process. At the end of the first session of the public hearing, the Planning Board will vote to formally grant the requested waivers, or vote to require additional information and copies. This vote will grant the official waiver of application requirements.

4) And further, by amending Section IX.D., "Procedures", by revising the beginning of the first sentence of the new third paragraph by inserting the underlined text as follow, "For all applications, the Planning Board shall review . . ."

5) Amending Section IX.E., "Contents of Plans", by deleting the first sentence and inserting in place thereof the following paragraph:*Abbreviated Applications will be required to provide the information identified in the Pre-Application Consultation and not waived in the formal waiver vote at the end of the first public hearing session. As review of the Abbreviated Application continues, the Planning Board reserves the right to require additional content and submissions as required to review the project and the application.*

The contents of the site plan shall be as follows for Full Applications.

6) Amending Section IX.F., "Waiver of Technical Compliance", by inserting in the second line after the word, "requirements", the words, "for any application", and further by

inserting the following two new sentences at the end of this section:

All applications deemed to qualify as abbreviated may receive preliminary approval of some or all of the requested waivers. The formal vote on granting the waivers does not occur until the end of the first public hearing session.

7) Amending Section IX.G., “Public Notice”, by deleting from the first sentence the words, “an application”, and inserting in place thereof the following words: “a Full or Abbreviated Application approved after the Pre-Application Consultation”.

8) Amending Section IX.K., “Fees”, by inserting the following new sentence at the end of said section:

The fee schedule developed shall use the same criteria whether the application is full or abbreviated.; or act on anything relative thereto. (Planning Board)

PATRICIA BROWN for Planning Board Chairman Hank Betts: I move that the Town amend Section IX, Site Plan Review, of the Zoning By-Laws as printed in the Warrant and furthermore to add to what is printed in the warrant in the second paragraph of Section C the following words: Site Plan Application both are submitted to a publicly noticed meeting of the Planning Board, that is to appear after the words: formal submission of the and before the words: fully described below.

Moved and seconded.

HANK BETTS: 13 Penzance Road, Chairman of the Planning Board – I call your attention to the packet of information to you and in that packet on pages 72-77, the Planning Board has had the Zoning Bylaw Section IX Site Plan Review reproduced with the sections highlighted that are to be amended. The following information will greatly aid your understanding of the several sections to be amended. Over the course of conducting normal Planning Board activities, the Board recognized that there was general public interest in understanding and simplifying how the Planning Board conducts Site Plan Reviews, especially for small projects like single and two family dwellings. The Planning Board determined that modifying the bylaw in a way that details how the Planning Board can waive technical requirements would be in the town’s best interest.

On page 72 you will find Section C title changed from “Informal Discussion” to “Pre-Application Procedures”. Section C is the heart of our article. This two stage procedure then details how we begin in the Site Plan Review process and helps all parties determine how to tailor the requirements to be project specific. Understanding this process is central in demystifying this bylaw. The result of this two stage procedure is that most single family and two family dwellings would qualify for providing Abbreviated Applications for site plan review. In summary, if someone was required to do a site plan review would come in and talk to our planner. We’d have all the technical requirements that would be required for full site plan review. There they would then decide which of those requirements were necessary for the single family home and then they would mark that out and that would be understood at that session. The planner would then bring to the full board at our next meeting the proposal the application stating what sections would not be required at least in their opinion. At the end of that public hearing, that would be a public hearing, where anyone in the public can attend and they can hear our discussion on whether we want to allow certain aspects of the procedure to be bypassed or modified in any way and we would take a vote at the end of that meeting. That summary is what Section C is about and that clearly separates small projects from larger projects. If you remember the main purpose of the site plan review was for large projects, commercial projects and the like and we only do a few single family or multi or two family homes. Section D which is on page 73 which is the procedures as to how we go about a site plan review merely is modified in way that specifies procedural requirements for both full applications and abbreviated applications. Since we would now have an abbreviated application we need to change the words that, that make sure that each of the sections apply what section applies to the full application and then add words for abbreviated applications. Section E then which is the contents of the plan that Section E really is the heart that really defines the requirements for what’s required in a site plan review and we had to modify that to say that if you had a modified procedure we have a paragraph in there that says if you modify you just meet the requirements that have been agreed about in the first meeting when we approve the modified procedure, if you will and you don’t have to do all the sixteen copies of plans and that sort of thing it just restates what we’ve agreed upon in Section 3, Section C. Then if it’s still making sense to you and if you follow what’s written here you’ll understand that. Sections E and F again are modifications of agreements reached in Section C and then finally Section K reiterates that no matter which application you file you’re going to pay the same amount of money and we’re just making sure we have our monies right. I’d be happy to answer any questions that you have.

TOBY ARSENIAN: Not questions, comment. These are procedural changes and really they’re not changes so much at all. This is just codifying what the Planning Board has done in the past trying to let the people who have the smaller projects loosely off the hook. I think it’s a good thing to do but I’m skeptical of the whole endeavor. We’re putting trim and gables on a structure whose foundations may be rotten that’s the whole site plan review. The question of whether any of it is legally defensible. You remember the dispute from the last town meeting that went on and on with those who are not in favor of anything in the way of site plan review then their displeasure with it. I spoke about it and said, attempting to reassure people, that the site plan review decisions can’t deprive you of any use or structure that you’re entitled to under the rest of the zoning code and that was an attempt to condense several pages of a legal opinion that I got out of Kopelman & Paige and I invited them to

contradict me and they didn't so apparently that's their take on it. At a site plan review hearing a couple of nights ago on a large single family house one of the neighbors who was opposed to the project said that there was a case in Manchester where they had put conditions on a site plan review project that went considerably beyond the zoning and that that was upheld by a court so I don't know where it stands but I think the Planning Board is misusing its time and efforts, adding gables and trim to the site plan review when what we really need to know is whether the whole thing is enforceable or not.

DARREN KLEIN from Kopelman & Paige: As far as site plan review articles most towns do have site plan review articles I think what Toby's referring to is that to have some court decision that said you can't add through site plan review conditions that would be otherwise prohibited by the zoning act and that is correct but obviously through your site plan review you are allowed to go through the process just you can't add conditions that otherwise would be prohibited by the zoning act.

HANK BETTS: When one agrees with Toby or disagrees that's not the issue we're just making sure we understand what's required for single family homes and two family homes whether its enforceable or not enforceable is not the issue today. We're looking at all that. We welcome your attendance at any of our Planning Board meetings to discuss this to give us input, to hear what we have to say, and we quite frankly welcome all that. That's not the issue, that is not the issue today.

PATRICIA PIERCE – Millbrook Park: I would like to know what the intent of the Planning Board is. I would hope that it would be to preserve the natural environment and history of Rockport; the topography, what makes Rockport beautiful. These are technical requirements but no guiding principle and I would like to amend the entire thing to say that the Board has as its goal the preservation of Rockport and its history and its natural environment, and that would guide decision making.

MODERATOR: First if you could identify yourself just for the record. If you could maybe let us know whether that's in there before we act on an amendment.

HANK BETTS: Whether what is in there?

PATRICIA PIERCE: That the intention of these technical requirements is to preserve the natural integrity..

HANK BETTS: It does not say that specifically in our requirements.

PATRICIA PIERCE: No it doesn't and I'm saying what it should. (talking over each other)
Rockport has a natural history..(talking over each other).

MODERATOR: If I can short-circuit that discussion I've talked it over with town counsel and that proposed amendment would be out of order as it's not within the scope of this article. So that's a discussion for another day.

PATRICIA PIERCE: I disagree with town counsel.

MODERATOR: Any further questions, comments, observations, questions? O.K. you've heard the motion. All those in favor raise your placard. Thank you. Opposed the same sign.

The motion carries.

The Chair will entertain a motion under Article V.

ARTICLE V. To see if the Town will vote to amend Section I.D. of the Zoning By-Laws, "Non-Conforming Buildings and Uses", by 1) Amending subsection I.D.2.b.2 by inserting the following new sentence at the end of said subsection: *This provision does not apply to one and two-family structures, but does apply to non-residential structures and residential buildings of more than two units.*

2) Amending subsection I.D.3, paragraph 3, by revising the last sentence to read: "Any proposed addition to a non-residential structure, or to a residential building of more than two units, within a required setback shall be no closer to the lot line than the existing nonconforming structure."; or act on anything relative thereto. (*Planning Board*)

TOWN CLERK for Planning Board Chairman Hank Betts: I move that the town amend Section I.D., Non-conforming Buildings and Uses, of the Zoning By-Laws as printed in the warrant.

Moved and seconded.

MODERATOR: There's a summary explanation and I'm sure that anybody on the Planning Board

will want to talk on this.

NICK REES – 101 Granite Street: I'm not on the Planning Board I'm the Chair of the Board of Appeals, this amendment arises, a little complicated but I will try and explain it. It arises from a 2011 Appeals Court Decision Gale vs. Gloucester Board of Appeals which is affirmed by the Supreme Judicial Court and the proposed changes to Sections 1D.2 and 1D.3 of our bylaws will conform our bylaws to the Gale decision which is now the law of the Commonwealth. What's this about? Number 1 it applies to single and two-family structures that are non-conforming in some fashion. Now it used to be that proposed additions to these structures, these one and two-family structures could not be closer to the lot line than the existing building without a variance. A variance would have to be granted by the Board of Appeals. The variance is a very tough standard to meet. It requires a demonstration of a meaningful economic hardship and secondly that the circumstances that underlie this are unique to your house and not to the neighborhood in general. Gale strikes down those rules so under Gale the standard for granting the extension that's closer to the lot line is now no detriment to the neighborhood which is the same standard for issuing a special permit. What does this mean? Well it means number 1 the Board of Appeals is given more flexibility in dealing with trivial variances. We come from time to time we get cases where somebody needs to intrude into a setback area – 4 inches, 3 square feet, and we go to a great deal of trouble trying to figure out how we could issue a variance. At this point and when we run into these trivial issues we can issue a special permit and it's not a problem. Concurrently though there is no loss of ammunition to the board in dealing with non-meritorious petitions if we find there's a detriment to the neighborhood which is spelled out in great detail in the bylaws what a detriment is we can turn it down so it's just not a problem.

We recommend that you affirm this motion.

TOBY ARSENIAN: It's presented as a necessary improvement it is no such thing, it is a step in the wrong direction. The setback requirements are one of the more important aspects of the zoning law, indeed an essential one. Three of the basic purposes of having a zoning code: to protect property values, to protect you from your neighbor and to protect your neighbor from you and this fails to meet any of those standards indeed it goes contrary to all of them. The setbacks are important. What you've been told about the Board of Appeals standards for granting the special permits is true but it isn't quite the whole picture. I have the guidelines in front of me and I'll read the one that's relevant. These are their standards for granting the special permits: the use or action will not be detrimental to the neighborhood and without limiting the foregoing because of noise, odors, vibration or unsightliness. That sounds legalistic and it sounds fine like everything's covered but it isn't. It might be just fine as far as the neighborhood is concerned whatever they're choosing to grant but it might be disastrous for you, the next door neighbor. They'll say that their interpretation takes that into consideration. That hasn't always been the case. I can attest to it personally. We're told that because a court has ruled on this we have no choice in the matter. Courts make rulings all the time. The laws change sometimes for the better, sometimes for the worse. If you object to this you should write to your legislators, Senator Tarr, Representative Ferrante and tell them that the law needs to be rewritten, this section of it needs to be undone.

ERIC HUTCHINS: I attended the public hearing where this was brought up at the Planning Board and I fully understand and respect the reasons that the Board of Appeals are promoting this due to the court case. However I will explain to you why I do not agree with the court case, and am in actual agreement with what Toby's outlining and please correct me anyone if I'm wrong on this but if you own a house right now and your house is completely legal within setbacks and you want to add two feet over the setback you need to get a variance right now and you will need to get a variance if this passes. Under this new court case for those of you in the room that already or anyone that has a house that's already nonconforming you have a free pass to not have to get a variance the next time you want to add to it. It's arbitrary and capricious. It is the law of the land now unfortunately this court case but I don't agree with it and that's why. Those of you that have a house that's completely legal you would need to get a variance someone that already has one that's nonconforming gets to bypass that they get an easier ticket to get their expansion based on what I learned and that's why I disagree with it. I think the message should be made to the state that this is a bad change in law it should be consistent either way.

NICK REES: That is indeed a flaw but it's a flaw that we the citizens of Rockport town meeting or the Board of Appeals can't address. The Supreme Judicial Court has acted on it. I suppose at some point in time this issue will come up and the courts will decide but for us and for the Planning..for the Board of Appeals we'd like to have our bylaws in harmony with the law of the Commonwealth.

MODERATOR: The Planning Board and Board of Selectmen support this. It requires a two-thirds vote. You have heard the motion, all those in favor please raise your placard. All those opposed the same sign.

The motion carries by two-thirds and we move on.

The Chair will entertain a motion under Article W.

ARTICLE W. To see if the Town will hear, receive and act upon the report of the Ad Hoc Committee on Town Water Supply appointed pursuant to the vote of the 1980 Annual Town Meeting under Warrant Article 6 and extended by votes of successive Annual Town Meetings through and including the 2012 Annual Town Meeting under Warrant Article S, and extend the term of the Committee; or act on anything relative thereto.
(Moderator)

LINDA SANDERS for Selectwoman Frances Fleming: I move that the town hear, receive and act upon the report of the Ad Hoc Water Committee on town water supply appointed pursuant to the vote of 1980 Annual Town Meeting under Warrant Article 6 and extended by votes of successive Annual Town Meetings through and including the 2012 Annual Town Meeting under Warrant Article S, and extend the term of the committee.

Moved and seconded.

MODERATOR: We're on page 79 and 80 and an old friend Mr. Barletta, please.

NICK BARLETTA: Thank you Mr. Moderator.

Report of the 2013 Spring Town Meeting of the Town of Rockport

The year 2012 was free of water restrictions although in contrast, Rockport has had many years when severe restrictions were imposed as a result of lower rainfall and higher consumption. As a Town appointed committee, the Ad Hoc Water Supply Committee puts its focus on ways to increase Rockport's water storage capacity, and seek new water sources.

Our committee was first appointed by the Town Moderator in 1980 to work with the Board of Selectmen in its pursuit of a larger water supply and an up-to-date distribution system. We have been fortunate over the years to have had several members with engineering expertise whose advice and recommendations were instrumental in various projects for improvement of the town's water system including the enlargement of Cape Pond and creation of preliminary plans for the Flat Ledge Quarry Dam project and more recently in the proposal of the new deep rock well that is nearing completion. As stated in our report to last year's "172nd Annual Report" for 2012 we continue to recommend various improvements to several water related projects that are under study by the Department of Public Works.

Our Ad Hoc Water Supply Committee Chairman of 33 years, Edward Alan Boulter, stepped down in 2012 as head of the committee due to health concerns. As an engineer Alan was invaluable to our committee. We have had other engineers who have served on the committee in the past years plus some who are serving now and we consider ourselves very fortunate to have had talented citizens in other fields who have lived in Rockport for many years who continue to volunteer to ensure a good, adequate supply of water for the town.

The Ad Hoc Water Supply Committee is currently composed of six citizens who seek the best for the Town of Rockport and we would welcome new members, particularly those with engineering, conservation and public works backgrounds.

Respectfully submitted: Dorothy Carvalho, Chairman, Allen B. Hovey, Clerk, Nicola A. Barletta, E. Alan Boulter, Laura Evans and Stephen Scatterday

TOWN CLERK: Do we have any comments? Any discussion? You have heard the report and the motion is to extend it for another term. Please raise your placard for yes. Anyone who is opposed raise your placard.

The motion carries.

The Chair will now entertain a motion under Article X.

ARTICLE X. To see if the Town will vote to accept the reports of its officers, boards, departments, committees and commissions, as printed in the 2012 Annual Town Report or as otherwise submitted to Town Meeting; or act on anything relative thereto. (Moderator)

LINDA SANDERS for Selectwoman Mina Sheedy: I move that the Town accept the reports of its officers, boards, departments, committees and commissions, as printed in the 2012 Annual Town Report or as otherwise submitted to Town Meeting.

Moved and seconded.

TOWN CLERK: Any discussion? Seeing none, all of those in favor of receiving those reports raise your placards. All those opposed the same sign.

The motion carries.

The Chair will entertain a motion under Article A.

ARTICLE A. To see if the Town will vote to expend a sum of money allocated to the Town under the provisions of Section 34(2)(a) of M.G.L. c.90, so-called "Chapter 90 monies"; or act on anything relative thereto. (*Department of Public Works*)

LINDA SANDERS for DPW Commissioner Paul Sena: I move that the Town expend the sum of \$290,217.00 or such other sum as is made available to the Town under the provisions of Section 34 2A of G.L. Ch. 90.

Moved and seconded

TOWN CLERK: Any discussion? It's on page 54. Any discussion? Comments? You've heard the motion all those in favor to see if the town will vote to expend a sum of money allocated to the Town under the provisions of Section 34 (2)(a) of MGL Ch. 90 funds raise your placard. All those opposed the same sign.

The motion carries.

Pages 66 and 67. The Chair will entertain a motion under Article R.

ARTICLE R. To see if the Town will vote to amend the vote taken under Article 16 of the March 3, 1908 Annual Town Meeting, which authorized the Board of Selectmen to lease Long Beach for a term of up to ten years, with extensions of no more than ten years each, to now authorize the Board of Selectmen pursuant to M.G.L. Chapter 40 section 3 and M.G.L. Chapter 30B section 16 to lease the land at Long Beach on such terms and conditions as the Board of Selectmen may deem appropriate and in the best interests of the Town; or act on anything relative thereto. (*Board of Selectmen*)

LINDA SANDERS for Selectwoman Sarah Wilkinson: I move that the Town amend the vote taken under Article 16 of the March 3, 1908 Annual Town Meeting, which authorized the Board of Selectmen to lease Long Beach for a term of up to ten years with extensions of no more than ten years each, to now authorize the Board of Selectmen pursuant to M.G.L. Chapter 40 Section 3 and M.G.L. Chapter 30B Section 16 to lease the land at Long Beach on such terms and conditions, and for such duration, as the Board of Selectmen may deem appropriate and in the best interests of the Town.

Moved and seconded.

MODERATOR: I remember that meeting.

SARAH WILKINSON, Selectwoman: The current Long Beach land leases expire December 31, 2013. The Board of Selectmen will be working with town counsel to revise the language of the leases for clarification as well as protection of the town's interests. At the same time the Board is looking at all possible options with respect to accessibility, terms, rates and other positions or conditions that may be in the best interests of the town as a whole.

This article would simply remove the 10 year lease restriction that was adopted in 1908, if passed. I have a copy of that here if anyone would like to see it. There has been some confusion in the local newspaper, imagine that, that this article will negotiate the terms of the leases. That is NOT the case.

At this time the research is still in progress and the Board has no idea if we will offer shorter or longer lease terms. However, we would like the latitude to allow us to make the best decision with respect to these leases which we would have if this 105 year old restriction were lifted. Passage of this article will simply give the Board of Selectmen a tool to use in our negotiations.

MODERATOR: The Board of Selectmen and Finance Committee support this. Mr. Arsenian, followed by Mr. Tarr, followed by the gentleman in the back.

TOBY ARSENIAN: The Board of Selectmen believe they need more flexibility in negotiating the leases that would imply that there was some difficulty in negotiating the leases but that's not the case. You should know that there is a clause in current leases the Long Beach leases all of them that allows the Board of Selectmen to oust any of the cottage owners on a month's notice without cause. That should tell you that the Board of Selectmen when it comes to the negotiating the leases holds all of the cards so the Board does not need additional flexibility. In late February reporting to the Board of Selectmen, Mitchell Viera, the town administrator's assistant, informed the Board that 70 to 80 percent of the text of the current Long Beach leases would be rewritten for the leases which come due in December. What does that tell you. It tells me that the Board, not the present champions, but their predecessors botched the lease. Maybe that's an uncharitable extreme way of putting it but certainly they didn't get it all right. They failed to anticipate what might change over the course of ten years and now we're being asked to give them authorization to write a lease for thirty years. You've all heard of global warming, the water is rising, the climate becoming more erratic and extreme. We don't know what might happen over the course of thirty years. It's sufficient damage ten years not knowing what will happen there. If we reject this, as I hope we will, the Board of Selectmen are not left high and dry. They have the authorization to negotiate leases that run for up to ten years and as was pointed out we have absolutely no say in the terms of the leases. That is entirely up to the Board of Selectmen.

FREDERICK TARR: I would like to make a motion to postpone action on Article R to the 2014 town meeting.

Moved and seconded.

FREDERICK TARR: We have heard earlier when we were talking about the study all the unknowns connected with this Long Beach area. I hope it turns out all right but to be able to say to the Selectmen without any knowledge of this study what it might imply to allow the Selectmen to sign a lease for maybe a hundred years...aa...without knowing our liabilities and so forth. I think this is a multi-million dollar tax issue and maybe a 50 million dollar rebuild issue. I think it should come back to the, to report to the town meeting to the town as a whole to the taxpayers of Rockport is to exactly what should happen here. I think that this is to say we don't know what the facts are but three people can bind the town up for God knows how long is a dangerous thing. I would prefer as I say I'd like to postpone action for one year in which time the study results should be in we should have some idea of what's going to happen whose liability it is and so forth and if the Selectmen want to present it to the town at that time which I hope they will that should be the proper way to go. Thank you.

MODERATOR: So we now have an amendment on the floor to postpone action on this and does that change whether the gentleman in the back wants to speak?

RICHARD CARBONE – 29 Long Beach: Thank you Mr. Moderator. My name is Richard Carbone and I'm a third generation Long Beach resident, going back to the 1930s. I live at 29 Long Beach. I'm the current President of the Long Beach Association. As you've all heard over the course of this talk Long Beach is one of many beautiful public beaches in Rockport and it's used year round by all residents. When you go in the winter time when you go into all the seasons people are walking the beach and it's a beautiful place year round that's used by everybody and we believe in a strong stewardship with the town and the beach and all the coastal areas of Rockport. The relationship between the town and the 154 Long Beach owners has always been mutually beneficial and served the Town of Rockport and the Rockport community. In 2013 the Long Beach owners contributed \$1.2 million in tax and lease revenue to the town. Let's not overlook this folks. We're paying the town \$1.3 million dollars a year, we occupy the beach for six months, we don't put a lot of burden on the town we're huge revenue contributors for the town and between the last lease and this lease we paid the town \$13 million dollars in revenue and we're talking about a \$13 million dollar seawall. We paid you 13 million in the last ten years just to be sure that we're clear about that. It's a public beach that everyone uses and we can only use it six months a year. O.K. the question is why are we recommending voters support for Article R. First of all, legally, the state now provides the right to do that as been stated. From a business standpoint giving our town leaders the maximum flexibility to determine how best to protect, preserve and financially manage a valuable town asset like Long Beach is a sound business decision. So that's now in the town's hands. I want to speak to the Finance Committee and the town about increasing revenue. How can the revenue be increased from Long Beach? Long Beach estimates that a longer term lease will generate an additional \$200,000 per year in tax revenues through Long Beach owner self initiated building improvements. In other words, if an owner puts money into their cottage and gets building permits the tax assessments will go up and you will collect more money and we've done the study that a conservative estimate is about \$200,000 per year that you can gain in this town with a longer term lease because we can then make improvements on the cottage and we can get the permits from the city. So it's a very good idea to think about and carefully consider the viable long term strategy for helping the people at Long Beach looking at this

lease very carefully. We understand all the coastal areas up and down the coast have problems with the sand, the wall and so forth but you know I've been growing up there for the past 60 years, my grandparents back to 19 oh 20 and the sand comes up halfway on the wall as it did last summer and right now you can see the rocks but by the middle of the summer the sand's back and that's been happening over 30, 40, 60, 80 years so we can talk about the gloom and doom possibility but this is one of the best beaches in Rockport that we all love. We all love Rockport, we're residents just like you. Thank you.

MODERATOR: Just to remind everybody right now we're talking about the amendment which is to refer this to study and we're going to hear from Selectman Battistelli and followed by Mr. Shehan and then see what happens.

ERIN BATTISTELLI: Just a couple of points, a point of clarification regarding Toby's assertion that 70 to 80 percent of the current lease is incorrect. It's a ten year old lease, there are going to be issued that we have to deal with and fix and update so I don't think it's an unusual situation and I don't know if anybody put a percentage on it so let's be clear about that. Second, we as a Board of Selectmen have an issue to deal with before December 2013 and we'll work to the best interest of the town in dealing with that issue but if it's put off until the next annual town meeting that we're in a position where there's not a whole lot we can do. I'd like to sort of reiterate what Selectperson Wilkinson said that we're just asking that our hands not be tied behind our backs when we start to work on the leases and work with the Long Beach cottage owners. Those of you who are in professions that involve negotiation understand that it's best to have everything before you, all the tools in the toolbox that you need and right now the ten year restriction is a restriction to us so that's what we're asking you to consider today. Thank you.

STEVE SHEEHAN: I think it's fair to say that all the Long Beach owners would prefer a longer lease than a shorter lease but that's not really the question in front of the voters today. Article R isn't anything about what Long Beach preference is with respect to lease not at all, the amendment, Article 16 is just like Sarah and Erin has said it's to give the Board of Selectmen the very important responsibility, the full decision making responsibility and flexibility that's allowed under the law and it's very important that they have that. That's why we elected them. It's way too early to know if a one year lease or a ten year lease or a hundred year lease, whatever it's going to be, is in the best interest of the town. There's a lot of information that needs to come forward this year. This is an extremely important process. This will be very valuable to the Board of Selectmen and to the Finance Committee especially as they look to determine what is the best long term financial strategy to deal with the longer term liabilities that have been referenced today. We hope everyone supports this. Thank you.

MODERATOR: I think Chester Clark wanted to make a comment. Hold on Sandy, even though you have a name very appropriate for a beach Article.

CHESTER CLARK: 29 Atlantic Avenue – I'd just like to say that I think the ten year restriction in time is a good one. I think basically no one knows how this thing is going to work out in the long run. I also think that when you trust people to make these kinds of decisions ten years is fine. Then if we make a mistake and we haven't given ourselves enough, not getting enough money out of this, ten years we'll have a chance to look at it again. I realize the owners of course want the longest possible lease they can get because that's to their advantage, very difficult for the town to run this like a business, if the town were running it like a business we would've gotten a lot more than \$1.2 million a year out of these people for a long time that could be my contention and my mother summered at Long Beach around 1908 when this stuff was originally done and I've been here a long time too and I really, as I say, we're not a business we probably cannot extract that kind of money that a private operator would extract on the other hand ten years sort of keeps a lid on the whole thing. Thank you.

MODERATOR: Bearing in mind we're still talking about whether to refer this to for further study.

SANDY JACQUES: Perhaps what I'm going to say is germane to that statement you just made but I really agree with what that gentleman just said. I think from a business standpoint from a negotiation standpoint we would have this huge unknown cloud over us that may or may not even be cleared up in a year to open the gates up to a long term lease unless you put in that least that you have the right to increase the cost of the lease per lot based on future costs of developing whatever we're going to do to the beach you're locking yourself far more into the hole than if you were going to say o.k. let's not increase it from 10 years in fact I'd argue, you could argue based on what I'm saying decrease it one year or five years until such time in other words give everybody an extension to their current lease which is perfectly legal and perfectly permissible until we know what we're going to do, is it going to be ya know a ten million dollar wall repair, a one million dollar patch or a twenty million dollar replacement. Whatever the end formula is for allocating the costs of that effort amongst the first row,

second row, third row, people who live on Thatcher Road people who live down in Pigeon Cove on Granite Street or wherever we don't know and I would think that it would be far better to just roll these things over until we do have that information and not lock ourselves into the or give the selectmen who are the only people who can exercise this authority the authority to go unlimited and now we can't change it. Are we going to make sure that in two years we need to increase those leasehold payments that we'll be able to rewrite all those leases I doubt it.

MODERATOR: We're still talking about the extension and we have somebody in the back.

HEATHER CARBONE: I am Heather Carbone and I also live at Long Beach and like some people that have commented about tourism I know the impact of that because I grew up in the Adirondack mountains of Lake George in New York and we lived on tourism so with this in front of you it does give your Board of Selectmen the power and the ability to formulate this lease to the best of you and me as a town owner the ability to make the best outcome. If you tie their hands, that's what you're going to do, you're going to tie their hands. They won't be able to make a very wise decision on the behalf of not only us as homeowners on one section of your town but for the entire town. Now we know that this is hard with a select group of people living in a second home but you have to understand these are first homes to several people sitting here. They don't have a second home. They live with their children or they go in a rental apartment off-season. With that being said in the current lease and over the years of homeownership there have been escalating fees to the rents and to our taxes. Now we pay personal income tax on the property, we pay real estate taxes, and we pay the land rent lease. So please don't tie your selectmen's hands. Pass this article.

HAROLD MALLETT: 133R Granite Street – I've always paid my real estate taxes for years. So has my wife and her family, go back generations. We've had damage from several storms and we've always paid for them ourselves. I sympathize with the people of Long Beach. I just encourage the Board of Selectmen to pay real close attention and really dig into this study being financed for \$75,000 to determine as best they can and what the outcome is going to be from climate change and future storms which we're having much more of and it may be that if the residents of Long Beach want a seawall they may have to chip in and pay for it.

MODERATOR: All right the motion before us is to refer this back for study and report back in a year. All those in favor of referring it to further study for a year before voting on these leases please raise your placard. Thank you. All those opposed to referring it to further study raise your placard. Thank you.

The motion failed.

The motion failed we are now going to the regular motion. Any further comment on the regular motion which is to amend the vote taken under Article 16 of the March 3, 1908 annual town meeting which authorized the Board of Selectmen to lease Long Beach for a term of up to ten years, with extensions of no more than ten years each, to now authorize the Board of Selectmen pursuant to Mass General Law, Chapter 40, Section 3 and Mass General Law, Chapter 30B Section 16 to lease the land at Long Beach on such terms and conditions and for such duration as the Board of Selectmen may deem appropriate and in the best interest of the town.

That is now what we are talking about.

ED HAND: 20 Landmark Lane – This motion merely talks about the term of the lease, the length. There's other parts of a lease i.e. the financial parts of it and it says nothing about any restrictions here so if it would be beneficial to some of the people who are leasing to have a longer lease and the Selectmen decide that that is reasonable to do they would then have the surety that they could be in continue to lease the property but you can write a lease with escalation clauses, you can write a lease with re-negotiation clauses for certain parts of it so that's a total different issue. We can protect the town and we can protect the people who they are or give them an advantage to allow them to increase the structures they have so I see no problem with this article at all. I move we accept it.

LAURIE MCKENNA – 31 High Street – I'm speaking against this motion and the reason I'm doing so is that effectively it allows the Selectmen to enter into a lease longer than ten years. The reason I'm against that is because I think that changes in the environment mean that we don't know a lot about what will happen not just in the next ten years but in the next twenty or thirty years and I don't think we have, the Selectmen have enough information to tie us to anything longer than ten years. If I had my druthers I'd have this reduced to five years just because the environment surrounding Long Beach and the climate really don't give them enough information to enter into any long term agreement.

LINDA SANDERS: I am at all the Selectmen's meetings whether I enjoy them or not but I do (laughter) and I've heard two or three of the Selectpeople after wanting their hands untied, talking about just maybe extending for one year so, because they don't know enough so they're concerned about everything that you're talking about. They don't want their hands untied to go wild and extend anything. They just want to be able to have the ability once all the information is in to determine if maybe a six year lease is better or an 11 or 12 year lease or 2 year. I know I heard twice from the Selectpeople they were thinking about maybe a two year lease right now until we get all the information in. So this lifting a restriction has nothing to do with what they're going to do because they don't have all the information in yet. Just as you say.

ERIC HUTCHINS: I think the Selectmen having the ability with more tools in their tool chest is a good thing. That said, one of my questions is will the negotiation process will this predominantly be a executive session type of negotiation or will there be an opportunity for public input on your thinking and your eventual decisions because there is a lot of information that I and none of us have and it may be good to do it more than ten I don't know yet but will there be an opportunity for us the public to be part of giving you input later. I have I actually don't know 'cause this.. appreciate that 'cause if it is this is our last chance then I would be worried and no offense to any of you you could do a 50 year lease you're off the board in two years and we don't even know why or how it got that way so is there a true opportunity for public input in the decision making process.

LOUISA CASADEI-JOHNSON – 2 Sandpiper Lane and also a cottage owner at 120 Long Beach – I'm hearing a lot of concern and this has come up already about the lengthening of the lease and that again isn't what we're really talking about. In fact we've wanted a longer lease for a long time and I think the odds of getting one are probably pretty slim. We would have liked this to happen almost every time we renew so as a, well as a tenant at the beach I would really love a longer lease, as a resident I voted in this Board of Selectmen they endorse it seems that they would like the ability to renegotiate, as a tenant I'm a little worried because I don't want a one year lease I'd like a thirty year lease again I don't think that's going to happen but I would support this to give the tools to the Selectmen that they need.

TOBY ARSENIAN: I don't have that much imagination. I heard the 70 to 80% of the text would be revised at a Selectmen's meeting; that from the Town Administrator's Assistant and I'm sure he wasn't making it up, so the lease whatever it was ten years ago is not now regarded as satisfactory and now we're being asked to write a lease not just for ten years, which is the present status of things but one for thirty years. I think that that's rash. Mr. Hand spoke about the possibility of escalator clauses in the lease and I think that's a key thing that we all ought to think about if the Selectmen are going to write any sort of a lease particularly a long one and I would ask town counsel is it possible to write an escalator clause into the lease and if you did could that cover the cost of the seawall? Could it cover the cost of the beach nourishment? What could such an escalator clause cost and how would that work? Would it be the same thing as opening up the lease to negotiation from scratch or could the Board of Selectmen simply decide to impose such costs? We know already that the Board can't put assessments on the property as was done for the sewer because the cottage owners don't own the land so the only way we can recover additional costs in the future if there are additional costs is through the lease.

DARREN KLEIN: The answer to Toby's question is yes you certainly can put escalated clauses into the lease, in fact I've been told that the current leases which were written some time ago have escalated clauses. The substance of those clauses is obviously based on the negotiation and ultimate agreement by the party. So there is nothing illegal about an escalated clause it's subject to negotiation. You need to get both sides to agree.

SARAH WILKINSON: Just to answer the previous question, there are aspects of negotiations that would be an exception to the open meeting law, meaning that the Board could do some negotiations in executive session and we would have the right to do so but I could personally promise you, because I'll still be on the board then, that this board is very open to public comment on all of this and we will surely not only allow public comment but we welcome it and just to answer the comment of that this board could enter into a lease and then in two years be voted off; of course that's the case and you elect us and we hope that you trust us and we also live here, we pay taxes here, and we don't want to get the town or ourselves into a situation that years down the line could get any of us into trouble. Really I think if you think about this is just another tool in our toolbox. We are not asking today to bind anyone to any lease that's not part of this, it's to simply give the Board of Selectmen the tools that we need to negotiate in the best interests of the town.

BAYARD WARING: Sandaba Road – Mr. Moderator I'd like to move the question.

Moved and seconded.

MODERATOR: Before us we have a motion to move the question and that requires a two-thirds vote. All those in favor of moving this question please raise that placard. Those opposed the same sign. The motion carries so now we go right to the vote.

So if we go back to Article R the motion is whether the town will amend the vote taken under Article 16 of the March 3, 1908, it was a beautiful spring day, late winter, Annual Town Meeting which authorized the Board of Selectmen to lease Long Beach for a term of up to ten years, with extensions of no more than ten years each, to now authorize the Board of Selectmen pursuant to MGL, Chapter 40 Section 3 and MGL Chapter 30B Section 16 to lease the land at Long Beach on such terms and conditions as the Board of Selectmen may deem appropriate and in the best interest of the town.

All those in favor please raise their placard. Thank you. Those opposed the same sign.

The motion carries.

The Chair will entertain a motion under Article S.

ARTICLE S. To see if the Town will vote to authorize the Board of Selectmen to lease, for a term of no more than fifty-one (51) years, the property located at 4 Broadway and shown on Assessors Map 18 as Parcel 513, for the purpose of low and/or moderate income housing, on such terms and conditions and for such consideration, which may be nominal consideration as the Board of Selectmen may deem appropriate, and further to authorize the Board of Selectmen to petition the General Court, if necessary, for special legislation, as set forth below; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court which are within the scope of the general public objectives of the petition, and to authorize the Board of Selectmen to approve such amendments; or act on anything relative thereto. (*Board of Selectmen*)

The petition for special legislation shall take the following form:

AN ACT AUTHORIZING THE LEASE OF CERTAIN PROPERTY IN THE TOWN OF ROCKPORT *Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

SECTION 1. Notwithstanding any provision of chapter 30B of the General Laws or of any other general or special law to the contrary, the town of Rockport is hereby authorized to lease, for a term commencing in 2061 and terminating no later than fifty-one (51) years therefrom, the certain property located at 4 Broadway in the town of Rockport, which property is shown on Assessors Map 18 as Parcel 513, for the purpose of continuing the use of said property for low and/or moderate income housing, to the then-current tenant or its assignee or to any other party qualified to operate low and/or moderate income housing, on such terms and conditions and for such consideration, which may be nominal consideration, as the Board of Selectmen may deem appropriate, such extension being necessary to ensure the availability of funding to continue the use of said property for affordable housing purposes.

SECTION 2. This act shall take effect upon its passage.

LINDA SANDERS for Selectperson Mina Sheedy: I move that the Town authorize the Board of Selectmen to petition the General Court to authorize the Town to lease notwithstanding the provisions of General Laws, Chapter 30B to the Rockport School Limited Partnership or its assignee the property located at 4 Broadway and shown on assessor's map 18 as parcel 513 for the purpose of low and/or moderate income housing, with special legislation shall be in the form as printed in the warrant.

Moved and seconded.

WILHELMINA SHEEDY: Rockport High School apartment building located at 4 Broadway is a 31 unit complex that provides low and moderate income housing to the elderly and disabled. The current lessor is Rockport School Limited Partnership who is in the process of assigning the lease to Harborlight Community Partners. That transaction is expected to be completed shortly. Harborlight Community Partners a non-profit located in Beverly, is the same organization that stepped in to take over ownership of Pigeon Cove Ledges in order to preserve affordable status. The current lease was originally authorized by Town Meeting vote and by Special Legislation and was set to expire in 2061. At last year's Fall Town Meeting, we voted to extend the lease for 99 years to 2112 however the Uniform Procurement Act Chapter 30B of the general laws requires that any time that town enters into a contract for the sale or lease of property that has a value of more than \$25,000 the town must go out to bid. The

Inspector General was unsure if we could put out a request for a bid now for a lease that doesn't begin until 2061. Since Harborlight will provide affordable housing for this property, it was suggested by Town counsel that we petition for special legislation authorizing the extension of the lease to Harborlight as approved by town meeting vote last year instead of going out to bid.

MODERATOR: You have heard the motion. Are there any questions or comments? All those in favor please raise your placard. Thank you. Opposed the same sign.

The motion carries.

Article J can be found on page 60. The Chair will entertain a motion under Article J.

ARTICLE J. To see if the Town will vote to amend the vote taken on Article 6 of the April 9, 2012 Annual Town Meeting, which appropriated \$30,000 for bathroom repairs to T-Wharf and Back Beach, to include bathroom repairs at Front Beach; or act on anything relative thereto. (*Department of Public Works*)

LINDA SANDERS for DPW Commissioner Bruce Reed: I move that the Town amend the vote taken on Article 6 of the April 9, 2012 Annual Town Meeting which appropriated \$30,000 for bathroom repairs to T-Wharf and Back Beach, to include bathroom repairs at Front Beach.

Moved and seconded.

The Board of Selectmen and Finance Committee support this article.

MODERATOR: There is a summary explanation on page 61. You've heard the motion, all those in favor please raise your placard. All those opposed the same sign.

The motion carries.

Article L can be found on pages 61 and 62. The Chair will entertain a motion under Article L.

ARTICLE L. To see if the Town will vote to accept the provisions of M.G.L. c.59, §5, clause Fifty-fourth, exempting personal property from taxation if not in excess of \$10,000 of value, and further, by establishing such minimum value of personal property subject to taxation at \$2,000 of value, beginning with fiscal year 2014; or act on anything relative thereto. (*Board of Assessors*)

LINDA SANDERS for Assistant Assessor Diane Lashua: I move that the Town accept the provisions of Mass General Law, Chapter 59, Section 5, clause 54th, exempting personal property from taxation if not in excess of \$10,000 of value, and further, by establishing such minimum value of personal property subject to taxation at \$2,000 of value beginning with fiscal year 2014.

Moved and seconded.

CATHLEEN CAHILL: A little explanation about this, frankly is this going to raise my personal property tax or lower it?

MICHAEL HUGHES: This doesn't really address property taxes. This is the tax on personal property that certain people, non-residents have to pay and the amount covered by the exemption for those that would be taxed if they have \$2,000 or less it costs more for the town to issue the bills than we get back in revenue so in essence we're losing money by taxing these people with very little property tax and that's why the Finance Committee recommends approval.

CATHLEEN CAHILL: It says "businesses" and non-residents and I have a business.

MICHAEL HUGHES: That's correct, it's businesses and non-residents have to pay personal property tax. But what I just said about the bills going out and revenue come in, covers both of them.

DIANE LASHUA, Assistant Assessor: What this does is there are small business that move in and out of town that are valued at a small amount of money under the \$2,000 and once they get into the system to be taxed it costs us more to bill them and then collect the taxes and in some cases they leave town before we even get to it. It also covers people who are, second homes that they're just small cottages because the personal property is assessed on the value of their building and there may be less than a \$2,000 amount on that. What we've found is that it truly does cost more to bill under that amount than we get back in revenue. The state allows us to go up to a minimum of \$10,000 but we opted to go with \$2,000 after looking at all the personal property values in town both businesses and second homes.

MODERATOR: Any other questions? You've heard the motion, all those in favor raise that placard. Thank you. Opposed the same sign.

The motion carries.

It's been pointed out to me that Article M is also involving the Board of Assessors so we'll just hear that one next unless anyone has any objections. Then the last one after that is Article T.

The Chair will entertain a motion under Article M. M on page 62 and 63.

ARTICLE M. To see if the Town will vote to adjust the income eligibility factor for the so-called senior tax exemption, pursuant to M.G.L. c.59, §5, clause Forty-first C, from \$12,000 for single individuals and \$15,000 for married couples to \$20,000 for single individuals and to \$30,000 for married couples; or act on anything relative thereto. *(Board of Assessors)*

LINDA SANDERS for Assistant Assessor Diane Lashua: I move that the Town adjust the income eligibility factors for the so-called senior tax exemption, pursuant to the provisions of Mass General Law, Chapter 59, Section 5, Clause 41st C, from \$12,000 for single individuals and \$15,000 for married couples to \$20,000 for single individuals and to \$30,000 for married couples.

Moved and seconded.

MODERATOR: There is a summary explanation and I'll give you a chance to read it. Diane is here to answer questions if you have any. It is recommended by the Board of Assessors and the Finance Committee.

You've heard the motion. All those in favor raise your placard. Thank you. All opposed the same sign.

The motion carries.

The Chair will entertain a motion under Article T. It is indeed the last motion of the day and after that we will entertain a motion to dissolve the meeting.

ARTICLE T. To see if the Town will vote to authorize the Board of Selectmen to acquire, by purchase, gift, and/ or eminent domain, the fee to or a lesser interest in property owned by 90 Pleasant Street Condominium and shown on Assessors Map 29 as Lot 90, and property owned by Sheilacres Inc., shown on Assessors Map 19 as Lot 93, for the purpose of access to the Bedrock Well site and/or for watershed protection purposes, and further to raise and appropriate, appropriate by transfer from available funds, and/or borrow a sum of money to effectuate said acquisitions and costs related thereto, and to authorize appropriate Town officials to execute documents and take such other action as may be necessary to effectuate this vote; or act on anything relative thereto. *(Department of Public Works)*

LINDA SANDERS for Jim Gardner, Chairman of the Board of DPW Commissioners: I move that the Town authorize the Board of Selectmen to acquire, by purchase, gift and/or eminent domain, the fee or any lesser interest in a portion or portions of the property owned by 90 Pleasant Street Condominium and shown on Assessors Map 29 as Lot 90, and a portion or portions of property owned by Sheilacres Inc., shown on Assessors Map 19 as Lot 93, for the purpose of access to the Bedrock Well site and/or for watershed protection purposes, which property is shown on the "Bedrock Well Land and/or Easement Acquisition Plan" dated March 22, 2013, on file with the Town Clerk; that the sum of \$145,000.00 is appropriated to pay costs of such purchase, including the payment of all costs incidental and related thereto, of which \$110,000.00 is transferred from the Community Preservation Act funds reserved under Article 5D, *Third*, of the September 8, 2008 Fall Town Meeting, and the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow the remaining \$35,000.00 under and pursuant to Chapter 44, Section 7(3) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor, and that the Board of Selectmen, the Conservation Commission, and/or other appropriate officials of the Town are authorized to execute such documents and take such other action as may be necessary to effectuate the objectives of this vote. *(requires 2/3 vote)*

Moved and seconded

MODERATOR: And this requires a two-thirds vote. The Board of Selectmen and the Finance Committee recommend approval of this article.

JIM GARDNER, Chairman of the DPW Commissioners: I know it's late, it's the last article. Let me just give you a little explanation it's kind of a long winded article for a simple issue. The DPW is developing a bedrock wellhead in between the Pleasant Street Extension and Cape Pond and there's a dirt road that goes off the end of Pleasant Street. The townspeople have the Right of Way to walk on that dirt road and the right of way to ride a horse on that dirt road but we don't have the right of way to drive a vehicle on that dirt road and it's going to be awfully difficult to build and maintain a wellhead if we can't drive a vehicle on it. So we need to gain access to the wellhead and we'd like to do that either by purchasing land that the road is on or by buying the Right of Way from the existing landholder. Now we've identified two sources of funds: one is money that was already set aside by the Community Preservation Committee for the purpose of purchasing watershed land and that's the \$110,000.00 but that can only be used for the purchase of land it can't be used for the purchase of a Right of Way so we need other funds and that's the \$35,000.00 which we'd like to borrow which would allow us to purchase the Right of Way if that's what it comes to we're still on the process of negotiating with the landholders and not quite sure how it's going to fall out but this gives us the funds and the flexibility of funds necessary to insure that we have a Right of Way to the wellhead.

MODERATOR: All those in favor please raise your placard. All those opposed the same sign.

The motion carries by more than a two-third vote.

MODERATOR: The Chair will entertain a motion to dissolve the 2013 Annual Town Meeting. All those in favor say aye. Opposed no.

The motion carries.

The 2013 Annual Town Meeting dissolved at 2:33PM.