

FALL TOWN MEETING  
SEPTEMBER 8, 2014  
ROCKPORT HIGH SCHOOL AUDITORIUM

MODERATOR: They don't make gavels the way they used to but it is September 8<sup>th</sup>, 2014. Welcome to the fall town meeting it is after 7PM (7:09PM) so we shall begin. We will open this evening with the Pledge of Allegiance, please rise.

This evening the Reverend Matthew Wigton, the First Baptist Church, will give the invocation. Please stand.

The Moderator made introductions of the people on the stage as well as the Board of Selectmen and Finance Committee and gave instructions about the procedure of the meeting.

MODERATOR: We're breaking from a little bit of Rockport tradition and since we have one of our articles is technical we will be hearing four people with special scientific backgrounds talking about the issue of fluoride.

I will entertain a motion to omit the reading of the articles in the warrant. It was moved, seconded and carried by voice vote.

The Town Clerk read the Officer's Return of the Warrant.

MODERATOR: Thank you and as you may know under Massachusetts law town meeting and the Moderator has special protection and privileges and we have our Police Chief and our Lieutenant back there providing protection for us all and so I appreciate their presence. Thank you gentlemen.

Information about town counsel was given.

The meeting will be conducted in accordance with parliamentary procedures described in Section 4 Chapter 2 of our Bylaws and as I said, much of that is in our booklet. We will always be talking about a pending motion and you have those in our new booklet and not the warrant article itself which is in our new booklet. With respect to the article we will first have a proponent or Linda Sanders will be that proponent to offer the motion. The motion is seconded; state the reason for the motion and then if necessary we'll hear from somebody from our advisory committees, although they may be somewhat silent this evening.

(Instructions given regarding getting the Moderator's attention to speak and microphone information.)

MODERATOR: It's your meeting and I encourage all relevant discussion. Going forward if you think you're going to amend a motion, let us know ahead of time.

I have determined that the following articles are related so when one of those come up we will take the first one and go through them in order. A and B talk about prior year stuff; D and F relates to the community preservation act and J and K relates to amendments and remember we have a lottery system although with a 4/5 vote the town can call a particular article out of order. So we are going to start this evening with Article C, followed by Article A, followed by Article B. So C and then A and then B.

The Chair will entertain a motion under Article C.

ARTICLE C (1). To see if the Town will vote to raise and appropriate or appropriate by transfer the sum of \$200,000 from the Inflow and Infiltration Reserve account to an Inflow and Infiltration Capital account; or act on anything relative thereto. *(Department of Public Works) (majority vote)*

LINDA SANDERS FOR PAUL SENA, CHAIRMAN OF THE BOARD OF DPW COMMISSIONERS: I move that the Town transfer the sum of \$200,000 from the Inflow and Infiltration Reserve account to an Inflow and Infiltration Capital Account.

Moved and seconded. Hey, does anybody want to discuss that? All right. All those in favor please say aye. Opposed please say no.

The motion carries.

The Chair will entertain a motion under Article A.

ARTICLE A (2). To see if the Town will raise and appropriate, or appropriate and transfer, a sum of money to pay unpaid bills of previous fiscal years; or act on anything relative thereto. *(9/10 vote)*

The Chair will entertain a motion under Article A which requires a 9/10s vote.

LINDA SANDERS FOR WALLY HESS: I move that the town appropriate and transfer the sum of \$650.00 from the selectmen’s training and development account to pay and unpaid bill from the previous fiscal year to the Massachusetts certified public purchasing officials program.

Moved and seconded.

MODERATOR: Does anyone want to discuss this? No? Alright. Is there anybody opposed? Okay. All those in favor say aye. That passes by more than 9/10s. It passes unanimously.

The motion carries unanimously.

The Chair will entertain a motion under Article B.

ARTICLE B (3): To see if the Town will vote to raise and appropriate, or appropriate and transfer, a sum or sums of money to add to the appropriations made under Articles 5, 5A, 5B, 6, 6A and/or 6B of the April 5, 2014 Annual Town Meeting or to reduce appropriations made thereunder; or act on anything relative thereto. *(majority vote)*

LINDA SANDERS FOR BILL WAGNER, FINANCE COMMITTEE MEMBER: I move that the Town amend the votes taken under Articles 5, 5A, 5B, 6, 6A and 6B of the April 5, 2014 Annual Town Meeting by transferring the sums set forth in the Fall Town Meeting Voters Booklet for Article B Motion on pages 17 and 18 in the amounts and for the purposes specified therein with the addition the sum of \$20,000.00 to be transferred from the Town Accountant Salary account to the Accounting Purchasing of Services account.

Moved and seconded.

Amount	To	From
\$ 679.00	Animal Control Officer Salaries	Pension
\$ 966.00	Parking Meter Sergeant Stipend	Parking Meter Attendant Wages
\$ 22,400.00	DPW GIS Manager Salary	Water Temporary Debt Principal
\$ 12,651.00	DPW GIS Manager Salary	Sewer Temporary Debt Principal
\$ 9,749.00	DPW GIS Manager Salary	Sewer Maturing Debt Principal
\$ 1,883.00	Forest Fire Expenses	Pension
\$ 957.00	Forest Fire Telephone	IS&T Telephone Expense
\$ 6,576.00	DPW Office Equipment	Pension
\$ 2,928.00	DPW Telephone Expense	Pension
\$ 14,163.00	Insurance Expenses	Pension
\$ 25,235.81	Insurance Expenses	Municipal Property Insurance Fund
\$ 22,000.00	Legal Fees	Sick Leave Buyback
Amount	To	From
\$ 8,000.00	Legal Fees	Parking Ticket Services
\$ 18,000.00	VoTec Assessment	Library Director Salary
\$ 4,525.00	VoTec Assessment	Parking Ticket Services
\$ 247.00	Police Telephone Expense	EMT Wages
\$ 14,417.00	IS&T Copiers	IS&T Telephone Expense
\$ 2,910.00	IS&T SW Contracts – Maps Online	EMT Wages
\$ 1,475.00	Recreation Program Costs	Parking Ticket Services
\$ 2,400.00	Assessors Purchase of Services	EMT Wages
\$ 461.00	Dog Control Telephone Expense	Library Telephone Expense
\$ 653.00	Harbormaster Telephone Expense	Harbormaster Floats Expense
\$ 391.00	Council on Aging Telephone Expense	EMT Wages
\$ 1,547.00	Water Ent Other Purchased Services	Water Ent Telephone Expense
\$ 61,772.00	Maturing Debt Principal	Temporary Debt Principal
\$ 4,616.00	Maturing Debt Principal	Maturing Debt Interest
\$ 6,000.00	Temporary Debt Interest	Maturing Debt Interest
<b>\$20,000.00</b>	Accounting Purchasing of Services Acct.	Town Acct. Salary

Mr. Moderator, Bill Wagner also moves to amend the motion under Article B by enabling an additional appropriation by transfer of \$150,000 from the unexpended amount of money that was initially borrowed to finance the Millbrook Meadow Dam project authorized by Article 11J at the September 11, 2006 Fall Town Meeting, that is now complete, and for which no further liability remains, to pay the

costs of a 2014 Caterpillar Front Loader which has a useful life of at least 20 years, as permitted by Chapter 44, Section 20 of the General Laws.

Moved and seconded

MODERATOR: Any discussion on the amendment? Now, we're just talking about the amendment to buy that 2014 Caterpillar Front Loader – complete with white-walled tires. All those in favor say aye. Opposed say no.

That motion carries, I can't wait to drive it. I declare that as a two-thirds vote.

Now we're going to talk about Article B. Article B has to be two-thirds, is that what you're telling me Darren?(inaudible discussion)

MODERATOR: So let's talk a little bit about this loader (laughter) Article B has to be a two-thirds vote. Any discussion?

FRANCES FLEMING: 12 Pleasant Street - I just have a question. How can you take money out of a pension fund to pay for telephones and other office expenses. I don't quite understand that.

BILL WAGNER, FINANCE COMMITTEE: The amounts being transferred from the pension is from the pension expense account not from a pension fund. So we set aside funds each year to pay into a pension plan however the pension plan expenses were less than what we had budgeted at April town meeting.

TOBY ARSENIAN: 95 Granite Street – I see that we're transferring money out of the water temporary debt principal and the sewer temporary debt principal to pay for the DPW GIS, think that's geographic imaging system, manager salary I thought that the accounting on the enterprise funds including the debt was totally separate. Can somebody give an explanation, a justification for that, please.

BILL WAGNER, FINANCE COMMITTEE: Yes, the transfers being requested for the GIS manager are the allocations, the GIS manager's salary is paid from all three accounts. One-third from the DPW fund – general fund, one-third from water and one-third from sewer. We're transferring funds, there was an omission at the April town meeting budget where that salary was not provided for but there does happen to be surplus funds in the debt account that we can transfer from each respective enterprise fund. So those transfer are within the funds. Does that answer?

MODERATOR: O.K. I sense that you are ready to vote and this is going to require a two-thirds vote. All those in favor say aye, opposed say no.

That carries by more than two-thirds.

PAUL MURPHY, BOARD OF SELECTMEN: Good evening. Late last week the selectmen received a letter of retirement from someone who has served this town with distinction and honor for 36 years with the Rockport Police Department. Chief Tom McCarthy has officially announced his is retiring after 17 years as a police chief. I knew the letter would be coming at some point but I have to say when I saw it in writing, it startled me. I thought to myself what are we going to do now. We have been so lucky to have him in this critical leadership position in our town.

I have had the pleasure of working with so many talented people in my career in education and in public service. No one is more admired in my opinion for the job that he does then chief McCarthy. He leads by example and is one of the most ethical people I know. He has earned great respect from his colleagues in this town and across the Commonwealth.

Tom began his career as an intermittent police officer in 1977 with the expectation that he would be appointed a full-time police officer. That came quickly. After a number of years he was appointed to the leadership position attaining the rank of sergeant. It was at that point in Tom's career that his leadership skills were evident for all to see.

In 1997, he was appointed acting police chief and then shortly after he received the permanent position and has been there for 17 years. He was critical in changing the perception of the department in town. He also played a pivotal role shepherding the state-of-the-art police department on upper Main Street. I suspect that had Tom not been chief the department may still be located on Broadway.

Tom grew up in Rockport and graduated with the class of 1970. I have to imagine being a police officer in your small town where you grew up has to be difficult at times. Once again, Tom has handled that and recognizes its part of the job. I know many law-enforcement people throughout the commonwealth and anytime you mention Tom McCarthy's name people often tell me how lucky we are to have Tom at the head of the police department. Tom will remain with us until November 4. The selectmen do have a plan moving forward but that's for another night's discussion. How would you like to be the person having to replace Tom McCarthy as chief. I suspect it is similar to having to follow Bruce Tarr at the podium – not an easy task.

Tom we wish you all the best in the years to come, I hope you have a wonderful retirement filled with accomplishments and relaxation. You certainly have deserved it.

On behalf of the Board of Selectmen and the Town of Rockport – thank you for thirty-six terrific years. You have left behind a legacy for many to emulate. Congratulations, Tom.

(Standing ovation for Chief McCarthy)

MODERATOR: We are next going to hear Article G, followed by H.

ARTICLE G (4): To see if the Town will vote to authorize the Town Collector to increase the fee charged for each written demand issued from \$5.00 to \$15.00 to be added and collected as part of the tax as authorized by G.L. Chapter 60, Section 15; or act on anything relative thereto. *(Treasurer/Collector) (majority vote)*

LINDA SANDERS FOR WALLY HESS, CHAIRMAN OF THE FINANCE COMMITTEE: I move that the Town authorize the Town Collector to increase the fee charged for each written demand issued from five dollars to fifteen dollars to be added and collected as part of the tax as authorized by General Laws Chapter 60, Section 15.

Moved and seconded.

MODERATOR: Just so you know we are on page 25 of our new booklet. Any discussion? All those in favor say aye. Opposed say no.

The motion carries.

The Chair will entertain a motion under Article H.

ARTICLE H(5): To see if the Town will vote in accordance with the provisions of General Laws Chapter 44, Section 53E½ to establish a revolving fund to which receipts received in connection with use of the Community House shall be deposited and may be expended by the Director of Public Works for Community House building maintenance purposes, said sum not to exceed a certain amount in FY2015; or act on anything relative thereto. *(Department of Public Works) (majority vote)*

LINDA SANDERS FOR DPW COMMISSIONER BRUCE REED: I move that the Town in accordance with the provisions of General Laws Chapter 44, Section 53E½ establish a revolving fund to which receipts received in connection with use of the Community House shall be deposited and may be expended by the Director of Public Works for Community House building maintenance purposes, said sum not to exceed \$7,500 in FY2015.

Moved and seconded

MODERATOR: Any discussion? Questions?

TOBY ARSENIAN: It seems to me certain that we would wish to spend whatever is reasonably necessary to keep the building up having spent so very much money, I would say far too much money, to get it in proper shape. Why would not the DPW or the Board of Selectmen come annually to the town meeting and ask for the money just as you would for any other purpose. It seems to me that if we turn over the money so that it goes into a separate fund we've lost control of it. We're setting up an independent principality never a sensible thing to do.

MODERATOR: Anyone sensible?

BRUCE REED: DPW Commissioner – This fund of \$7,500.00 is not going to take care of it if a wall falls down in the building or a boiler blows up. What it will do is repair walls if it needs paint, somebody puts holes in the wall we expect them to pay for it but we need some money that can be easily attained to go quick repairs. It's not for major repairs, we would come to town meeting for that.

MODERATOR: O.K. I sense that you are ready to vote. All those in favor say aye. Opposed say nay.

That motion carries with just one little nay.

MODERATOR: All right, next was Article I but I believe there is no motion under Article I. Is that correct?

ARTICLE I(6): To see if the Town will vote to raise and appropriate or appropriate by transfer from available funds a sum of money to fund the fiscal years 2014 and 2015 cost items contained in the collective bargaining agreements between the Town of Rockport and the Rockport MassCOP, Local 154 (Patrol Officers Unit); with the agreement covering the term of July 1, 2013 through June 30, 2016; or act on anything relative thereto. *(Board of Selectmen) (majority vote)*

There was no motion under Article I.

The Chair will entertain a motion under Article L. I'm expecting an ooh or an aah.

ARTICLE L(7): To see if the Town will direct the Selectmen to petition the General Court for enactment of legislation authorizing the submission of the voters of Rockport at an annual town election or at a state election, of the following question:

“Are you in favor of discontinuing the fluoride supplementation of the Rockport Water Supply?”

Said act should further provide that if a majority of those voting indicate they are in favor of discontinuing of such supplementation, the Selectmen and the DPW Commissioners are authorized and directed to take any and all necessary measures by those designated by them to carry into effect the discontinuance of the fluoride supplementation of the town's water supply.

; or act on anything relative thereto. (*By Petition*) (*majority vote*)

LINDA SANDERS FOR PETITIONER JOANNE WILE: I move that the Town direct the Selectmen to petition the General Court for enactment of legislation authorizing the submission of the voters of Rockport at an annual town election or at a state election, of the following question:

“Are you in favor of discontinuing the fluoride supplementation of the Rockport Water Supply?”

Said act should further provide that if a majority of those voting indicate they are in favor of discontinuing of such supplementation, the Selectmen and the DPW Commissioners are authorized and directed to take any and all necessary measures by those designated by them to carry into effect the discontinuance of the fluoride supplementation of the town’s water supply.

Moved and seconded.

MODERATOR: Before we hear from the moving party, just a couple of procedural notes. First this is a petition so any motion to amend this in any way will be out of order it has to be voted the way it is and secondly in terms of a motion to refer this to further study that will be further action down the road should this pass the initial step. Now the way this is written it says that it’s directory, it directs the selectmen and in fact, as you’ll hear in more detail the selectmen cannot be directed to do such a thing and they will talk about what their opinions are in that regard but it puts this on, eventually this would go on a ballot and the selectmen would talk about what would happen with a positive vote this evening. So a referral for further study would only slow the entire process down the end of which would not be this evening no matter what this vote is and this of course is the article which I have agreed to hear people who are not townspersons because this is in the area of scientific issue and it would be helpful to the meeting to hear from people with special expertise. So there are four people all together – two on one side of the article and two on the other and now we will hear from the proponent Joanne Wile.

Shouting.

MODERATOR: Please identify yourself. Wait for the microphone.

ALAN MACMILLAN: 18 Story Street – Thank you Mr. Moderator. The group that is proposing to eliminate this fluoride in our drinking water was prohibited by the Board of Selectmen from putting out any literature. Out in the hall tonight is literature from the group that wants to keep fluoride. I would like you to explain how that’s possible since the Board of Selectmen told the anti-fluoride group they could not put literature, the pro fluoride group did. I’d like clarification for the whole community. Thank you.

MODERATOR: Well, the only one who makes those decisions is me and I’ve only heard from, in terms of literature from the Board of Health and I was in conversations with people on the other side of the issue and I sent to them the copies of the relevant bylaws as I do anybody who asks and I was told that there’s no, that there were no materials. So I don’t know what you heard from others but the question should be directed to me, as that’s my call.

ALAN MACMILLAN: If that is the case I’m holding in my hand a piece of literature from apparently our Board of Health. Why were they allowed to put literature out there and no one else was, directed to you.

MODERATOR: Again, what I have told you is when people ask me that question I send them the portions of the relevant bylaw and that’s what I’ve received.

ALAN MACMILLAN: Sir, you’re not answering the question. There is literature out there from the pro-fluoride group. There’s no literature from the anti-fluoride group and you are the one that made that decision. That does not seem democratic.

MODERATOR: No. I think you’re not hearing what I’m telling you. I’ve only been, there’s one box of forms out there, is that what you’re talking about? (Yes, sir) from the Board of Health. Those are the only people who asked me if they could put literature out on town meeting floor.

ALAN MACMILLAN: That is not correct.

MODERATOR: Well, I’m telling you that that is what I have been provided.

ALAN MACMILLAN: You heard it.

MODERATOR: Alrighty – Joanne

JOANNE WILE – 6 Highland Street – How would you feel if you asked for a glass of water and the person replied “Sure, but wait a minute while I add some soot from my fireplace to it.” That is what is happening here in Rockport. After our drinking water has been properly treated, sodium fluoride is added

and God only knows what it contains since it comes from scrubbing of smoke stacks at aluminum and fertilizer factories. The smoke stacks are being scrubbed because of the Clean Air Act. The contamination from the smoky fallout was declared toxic and harmful. People in neighboring communities were suffering bone damage, severe arthritis and osteoporosis, cows were crawling around on their knees because of contaminated grass and local crops were being destroyed. This information comes from reading Christopher Bryson's book "The Fluoride Deception".

Rockport water has natural fluoride because it is an element in the earth's crust. When water is pumped from Carlson's quarry, it has .8 parts per million of natural fluoride and is considered safe. Cape Pond has no fluoride but the water from the two sources mix in the holding tanks so there will always be natural fluoride present. Years ago, Donald Johnson told me he had Poland Springs come down to check the water at Johnson's quarry to see if it qualified for them to purchase to sell as bottled spring water. It passed the tests and they would buy it but the quarry owner had to transport it to their location. He declined because of too much expense involved. So, our quarry water is as safe as that bottled spring water we are buying at the store.

Several times adding extra fluoride to our drinking water has been discussed at town meeting. Using the new computer program at the town clerk's office, I found out that in 1958 it was voted yes to put the Fluoride Addition Question on the election ballot. It never appeared on a ballot in 1958, 1959 or 1960. Apparently, those in charge questioned the wisdom of tampering with the town drinking water. At town meeting in March 1968, Article 48 states: "the Finance Committee was neither for or opposed to fluoridation but is opposed to appropriating \$7,000 for equipment until the town indicates fluoridation is wanted." Article 48 was "indefinitely postponed".

On the 1970 annual election ballot the selectmen presented the question to be voted on by the general public "Shall the fluoridation of the public water supply for domestic use in the town be continued?" The total votes were 1161 No, 736 Yes. Those voters thought it would be permanent that no extra fluoride would be added but the Board of Health had other plans it seems. They chose to disregard the 1161 No votes in 1970 and in 1980 the town report states "the Board of Health requested the selectmen to approve a non-binding referendum for the next town election regarding the increase of the fluoridation level in the drinking water of the Town of Rockport".

The 1981 town report states: "The Board of Health's decision to proceed with fluoridation of the public water supply in Rockport was published in the Gloucester Daily Times. A petition was filed with the town clerk in opposition to this move." Town meeting voted yes to put it on the election. The 1982 town report states: "Fluoridation was voted in by the people of Rockport at the April, 1982 election. The referendum appeared on the ballot and was passed Yes 986, No 724." That is when it all began, 161 people voted that we must drink something that has been proven to be harmful to our health. I don't need it - it is not a vitamin. I don't want it. We need to get it out of our water now.

According to Christopher Bryson's book "The Fluoride Deception", in 1990 the top toxicologist in the United State, Dr. Phyllis Mullenix, was hired by Forsythe Dental Center in Boston to do experiments with rats for the effectiveness of using fluoride. A grant from chemical and toothpaste companies funded her research. I think they were hoping she would recommend increasing the dosage. At the meeting in Boston to report the results of her experiments, Dr. Mullenix stated that she unexpectedly discovered harmful effects such as arthritis, hyperactivity, mental retardation and even cancer. This was definitely not what the two company representatives at that meeting wanted to hear. As a result of her bad report, grant money was withdrawn, Dr. Mullenix lost her job in 1994, and her report was never made public at that time. Her report now is documented in Christopher Bryson's book "The Fluoride Deception". Dr. Mullenix contacted the two company representatives who had been at that meeting to ask why the funding had been withdrawn and her job terminated. One said he never was in Boston on that particular date and the other said he knew no person by the name of Dr. Phyllis Mullenix. Thus began the fluoride harm cover-up which continues until today. We need to vote YES on this article. Otherwise, we ourselves become part of the fluoride cover-up. In 1982 the public and the Board of Health did not know half of what the average person knows today 32 years later. Now we know not to use asbestos, aluminum pots and pans, Teflon cookware, certain pesticides, saccharine, smoking cigarettes and even silver dental fillings. Now adding extra sodium fluoride to our drinking water needs to be on that list of harmful things.

As a parent how terrible it would be to hear a doctor say "Your teenage son has incurable bone cancer probably from those fluoride drops or tablets you gave him when he was small." Will your answer be, "But doctor, he has such wonderful teeth, no cavities." And later on, no son. This is serious.

The selectmen have the power to put directly on the election ballot the question, "Shall the extra fluoridation of the public water supply for domestic use in the town be discontinued permanently?" I request that the selectmen do this. In the meantime, so that the selectmen will know the feelings of this town meeting, vote YES on this article. Thank you.

MODERATOR: We're next going to hear from Dick Meringer from the Board of Health followed by a representative of the Board of Selectmen. Mr. Meringer..

DICK MERINGER, BOARD OF HEALTH MEMBER: Good evening. At the present time the Rockport Board of Health finds no compelling reason to recommend discontinuation of fluoride supplementation of the Town of Rockport water supply system. Supplementary fluoridation continues to have its strong advocates and detractors since it was enacted by the town vote on April 13<sup>th</sup> 1981 by a majority of 573 to 468. That vote constitutes the consensus of the citizens of Rockport at that time and it can be reversed at any time by a new vote on a referendum. Fluoridation is implemented at the Town of Rockport water filtration plant following the guidelines established by the EPA. Since Rockport's implementation supplementation this policy has continued to be advocated by the Center of Disease Control, the World Health Organization, the American Medical Association and the American Dental Association. Recent studies show that the decrease of dental cavities and the improvement in dental health has been nearly the same as that in those countries that do not fluoridate as well as those that do fluoridate. The anti-fluoride opinion is that fluoridation has no benefit. The Board of Health's opinion is that fluoride has a singular benefit beginning with its institution back in the 1950s. Its benefit has since been blurred by additional improvements in dental care such as fluoridation of toothpaste, access to better dental care, better nutrition and general attention to the importance of maintaining and protecting sound teeth. Anti-fluoride advocates allege fluoride causes cancer, renal failure, mental retardation and fluorosis of the teeth. They cite scientific studies many of which are based on cell, culture and male rat experiments. However, there is no difference in cancer rates between fluoridated and non-fluoridated areas. The Board of Health, therefore, encourages people to retain a healthy skepticism about alleged risk of supplemental fluoridation. There is a legitimate argument that the citizens of Rockport have no alternative if they wish to drink Rockport water. To address that concern the Board of Health has requested the Department of Public Works to place a water filling station at the water filtration plants where citizens can obtain water upstream prior to the supplementation with fluoride. Thank you.

SARAH WILKINSON: Good evening. I wanted to take this opportunity to explain the current fluoride situation in Rockport in the role of the Board of Selectmen. In April 1982, excuse me, the spring election the citizens of Rockport voted to begin fluoride supplementation of the water supply in town. This was after it passed through town meeting and the selectmen petitioned the General Court to have it put on the ballot. Once it passed at the ballot the Board of Health applied to the state and received approval to go through the process of having the fluoride added to the water. There was never a mandate from the selectmen, the Board of Health or the DPW. In 1982 the town made a choice and the results of that choice are still implemented today. Now we are here this evening with a similar question facing us all. Surprisingly and maybe shockingly that question before us this evening does not even have to be that much about fluoride supplementation. The question tonight is more about how you feel about the town revisiting an issue that we made a decision about in 1982. If you are happy with the decision that was made in 1982 and don't feel that the town should revisit or reconsider fluoride supplementation then voting no this evening would be appropriate. A yes vote this evening means that you think the town should revisit the vote taken in 1982. A yes vote indicates to the Board of Selectmen that you believe the issue should be placed on the ballot again. If placed on the ballot again, that would be the time for continued debate about the issue itself. If tonight's petition article passes it does not force the Board of Selectmen to do anything. By law town meeting cannot direct the board to take any action or more simply it cannot make us vote a certain way but it will give us a sense of the opinions of the citizens who have attended tonight and voted which is very helpful in our making our decision. If after tonight's meeting the board chooses we can petition the General Court to let us put the question on the ballot. If that bill gets approved and comes back to the town for a local election it will be a binding vote. If the vote passes it becomes law and the fluoride supplementation must stop. This, the special act route is the only path to the removal of fluoride from our water which is very similar to the route we took with regards to the alcohol licenses several years ago. Thank you.

MODERATOR: And now we're going to hear from Dr. Dan Eyink, hope I didn't slaughter that name, a physician who practices in Newburyport.

DR. DAN EYINK: Thank you. I'm board certified in internal medicine and acupuncture. I've been practicing about 17 years. First, do no harm that's our motto as physicians. The information on fluoride is changed over the last fifty years. They used to say calcium fluoride, which is in nature, is going to be helpful for your teeth. We're using sodium fluoride it's not the same product, it's not even a pharmaceutical grade product. As a physician I worry about the dosage that you receive and what I mean by that is the amount of fluoride, it's not just in the water, it's in the fumigants that are on your food products, it's in the pesticides that's on your farms, it's in the medications that we prescribe. Twenty years ago, thirty years ago the ADA said it's a cosmetic problem it only occurs in 10% of your population. 1980s, 1990s it was 29.6% of the population. NBC news said two or three years ago it's 41% of the population. We know what occurs in the mouth occurs systemically through the whole body and what they're talking about is children with dental fluorosis. What does that mean? It means skeletal fluorosis. Systemically we know if you have periodontal disease it's a risk for heart disease. Dental fluorosis is also systemic. What I see in my practice is if I write for flovent for a child – f stands for

fluorine, I'm adding to their load of fluoride. If I write for Prozac I'm adding the load of fluoxetine which is fluoride. If I write for an antibiotic like levaquin or fluoroquin I'm adding to your load of fluoride. It's not just in the water, it's the total dose of fluoride that you're getting. The EPA asked the National Research Council to review the levels of fluoride in your drinking water in 2006 and they came out with a report that was 500 pages long and it said we need to review certain things skeletal fluorosis was one of those primary things. The report was dismissed immediately by the policy makers on the very same day the report was sent out by the CDC and the ADA within six days, actually on the very first day. The Environmental Protection Agency scientists fifteen hundred of them said "Crapola, we're going to stop drinking fluoride." Our report said and the studies that we're seeing said this is not good for you so your very own scientists fifteen hundred of them at the EPA said you guys have got to review this. The reason is you've got one part per million in your water but the bell curve of how much it effects the extremes of the population can be dangerous. We need to review and look at that a lot closer, that's the babies, the infants they should not be getting fluoride in their formula because the fluoride is dangerous to them. Your renal patients, your end stage renal patients, on dialysis it's dangerous for them because fluoride accumulates in the bones a lot more when you have a renal disease. Look, fluorosis of the teeth is broken down to mild, moderate and severe. Out of 42% that means that there is probably one to three percent of your children have moderate to severe fluorosis. If they go on later and have thyroid problems that means fluoride on the chemical chart is going to displace iodine below and they're much more at risk for sub-clinical thyroid problems. Fluoride affects the pineal gland and calcifies it and makes early menstrual cycles occur. This is pseudo-science? No, there's good questioning about this. There are twenty studies or more that show children have decreased IQ risk. The ADA says forget it. It has no meaning. You need to go back and look at the science. The EPA sciences said you need to look at these, the outliers, you've got to be able to say this is good for the whole population and there should be no side effects. Look at this. If you go and look and read the side effects from one medication on the TV listed at least ten other side effects for statin drugs they're saying it's only a cosmetic problem with fluoride. No, it's a drug being used to treat cavities. There are more side effects than just dental fluorosis, it's not cosmetic, it's a medical issue and we're putting our children at risk. We're putting our people at the extreme edges at risk. I see this in my practice a lot. Look the thing is to help people change their dental cavities by changing their nutrition. It's not fluoride it's the lousy food that people are eating, it's the sugar, it's the acidity level in the mouth. It's not a fluoride issue. There was a study on Kingston and Newburg in New York twenty-five thousand people on each side one city got fluoride and the other city (Moderator: Doctor, you are at five and a half minutes, if you could just sum it up please) the sum was it didn't show any difference in cavities, in fact it was less in the town that didn't. I thank you for inviting me and I wish you well in this vote. (Applause)

MODERATOR: I'd like to recognize Ann-Margaret Ferrante in the visitor's section. Ann- Margaret please stand up. (Applause) Thank you for all of your support for our community.

Now we're going to hear from Dr. Jonas Gavelis and remember to these four speakers the limit set by our town bylaw is five minutes.

DR. JONAS GAVELIS: Thank you Mr. Moderator. I'm Dr. Jonas Gavelis. I live on the Gloucester side of Folly Cove at 1238 Washington Street. I'm a dentist and have been practicing in Rockport since 1991 in a practice that was started by the late Dr. Wayne Baker. I wished he were alive today to speak about fluoride. I support fluoridation. I have studied the literature but more importantly I've seen what fluoride does. I graduated from dental school in 1975 and have been practicing dentistry first as an assistant professor at Harvard and at the University of Connecticut and then as a clinician for almost forty years. During dental school I participated in surveys of dental health by examining public school children in fluoridated and non-fluoridated communities and the difference was night and day. Fluoridated children had very few cavities much like the kids here in Rockport. Non-fluoridated kids had mouthfuls of decay, infections, abscesses. When children ingest fluoride it becomes incorporated into the body of the tooth and when the tooth is formed it provides a lifetime of protection from decay. Adults only get a surface coating but that's better than no fluoride at all. After dental school I studied to become a prosthodontist, a specialist in the restoration of mouths through dentures, partial dentures, extensive and expensive bridge work. In the 1970s through the 1980s I did a lot of that on patients who did not have the benefit of fluoridation. They had tremendous amounts of damage including loss of teeth caused by decay. Today I do very little of that type of treatment because of fluoridation not so much because I'm retiring soon but when I was full time much, much less as the years went on and that's because the fluoridation did affect teeth it made them definitely stronger and people don't need the services that we dentists provide as much. Where I do still see a lot of that treatment is on the older patients who did not have the benefit of fluoride as children and many of those patients, as the years go on, pass away therefor the workload I have is less and less. When I do see children with a lot of decay the first question I ask is do you drink town water and the answer is invariably no. Fluoride is a very cost effective way of taking care of decay. Fluoride is safe. The town does a great job controlling the fluoride levels in the water. My family and I have been drinking Rockport and Gloucester water since we moved here over thirty years ago. I guess that puts me in the category of a blow-in. But the fluoride has not poisoned me and I haven't grown a second head. My children are healthy, smart and successful. I have only seen a few cases of fluorosis in my career and those were mild and not very noticeable cosmetically. There are also over one hundred

organizations that recognize the benefit of fluoride. I'm not going to name all of them tonight. I'll only mention a few, there were a few mentioned already, American Dental Association, American Medical Association, American Academy of Pediatrics, American Cancer Society, Centers for Disease Control and Prevention, the World Health Organization. The American Dental Association has on their website [www.ada.org](http://www.ada.org) documentation that supports fluoridation and addresses the misconceptions about fluoride. In closing fluoridation is a safe and cost effective way of protecting us particularly the children and the elderly from the damaging effects of decay. Please support the continuation of fluoridation by voting no on Article L. Thank you. (applause)

MODERATOR: Now we're going to hear from Dr. Zanfagna, a pharmacist who practices in Newburyport.

DR. VINCENT ZANFAGNA: Mr. Moderator thank you for the opportunity to speak here tonight. I'm Vincent Zanfagna, a pharmacist residing in Newburyport, and a founding member of Health Roundhouse, a group working on this critical issue that affects all citizens - water fluoridation. Fluoride is simply the name of a product, my purpose here is to address the chemical composition of this product. This is not my opinion, the information is based on scientific documentation. We believe it is our civic responsibility to alert our fellow citizens that fluoridation is damaging to our health and must be removed from our water.

In the 70's, Dr. Philip Zanfagna together with Gladys Caldwell wrote the book "Fluoridation and Truth Decay" laying bare the deception that has been perpetrated against the American people. Louis Ronsivalli, Master of Science of Haverhill, who received countless awards for his award winning lab in Gloucester has written ten books and publications explaining the dangerous and deleterious effects of fluoridation. Most importantly, he was a relentless proponent of informed consent. Informed consent means that we are actually being told that we are taking a drug when drinking fluoridated water; a drug which is a protoplasmic inhibitor (from high school) and endocrine disruptor. Informed consent is a law and is the basis for the freedom of choice that we hold so dear.

Mr. Moderator I offer you the face sheet and actually I'll give you the whole study. This is a study that has been presented. If you would take this I offer you this face sheet and the results of Phyllis Mullenix's last published paper published last month. If you would like the entire publication it's right here what the results show is that fluoride contains metal contaminants that must be diluted to meet drinking water regulations. However, each raw additive batch supplied to water facilities does not come labeled with concentrations per contaminant. This omission distorts exposure profiles and the risks associated with accidents and with routine use. Results show that metal content varies with batch, and all hydrofluorosilicic acid, samples contained arsenic 4.9 – 56.0 parts per million in addition to 10.3 parts per million additives contained the surprising amount of aluminum. Solvay fluoride LLC the product used here in Rockport was in the highest ranges of arsenic and lead contamination and it is illegal to add a poison to water supplies. The conclusion is that such contaminant creates a regulatory blind spot that jeopardizes any safe use of fluoride additives.

It is very hard for all of us to wrap our minds around an untruth and a deception; something we have been told for decades was to benefit. We have been led to believe that it was in the best interest for our teeth to have fluoride in our drinking water. Actually, we all know about believing something and later learning the truth. This has happened time and again throughout history. Remember in the 1940's Esther Williams on the back cover of Life magazine, a swimming athlete in her bathing cap on a diving board smoking a Tarrington cigarette. Remember cigarette smoking being depicted as athletic, rugged, fun, pleasurable and cool. Even doctors supported the myth that cigarettes were healthy. Yes, many of us fell for its allure and some still do but the numbers have dropped dramatically. Why? Because we became sick, because we watched our loved ones die from the effects of cigarette smoking, because we learned that we had been duped into believing it was good and okay for us. We now look at Esther Williams and say that was then, this is now and we're being called to do the same with fluoride; called to unravel this deception. It is not our fault but it will become our fault unless we rectify this wrong right now, tonight here in Rockport. Therefore due to arsenic and lead in your water Mr. Moderator, we ask that you invoke the precautionary principle, which I have a copy of right here and have the Solvay LLC fluoride removed from the municipal water supply. Please give us back our freedom of choice and I thank you all for listening. Thank you. (applause)

MODERATOR: The last non-resident we will hear from tonight is Dr. Bebrin.

DR. WILLIAM BEBRIN – Thank you for allowing me to come and talk here. My name is William Bebrin. I'm a Gloucester resident and a Gloucester orthodontist. I'm here because I care about my patients many of which are adults and children from Rockport. Orthodontics is a science of applying force to teeth which creates reactions in bone and causes those teeth to move and effects the growth of the body. But the real reason I'm here is because in a prior life I was a scientist and so I've taken the time to read some of the things on both sides of the argument and I'm here to give you my opinion. As somebody who once upon a time was in the science community. A little bit about myself, I was a university scholar majoring in biophysics and chemistry at the University of Connecticut. I subsequently went on to be a

protein biochemist at Yale University in a lab for a person who went on to be a Nobel Prize Laureate. I've worked at the University of Connecticut as a researcher in bone biology and then subsequently I was with the department of pharmacology at Harvard Medical School where I did research in herpes and electoral biology and bone biology and what I have to say is as I've started to read what has been said by the people who want to take fluoride out of the water most of it is mistruths – it's stuff that has been taken out of context and its poor science. I mean we hear about all this terrible fluoride we're putting in the water with all its impurities. Well the fluoride is tested both the compound itself before it goes into the water and then once it is in the water, the water's tested for impurities and they're not found. If they're found they're reported. Nationwide there have been very few incidences of contaminants that even approached the lowest levels that have been allowable by the EPA. We always hear that fluoride that we get is re-aging grade and it's not pharmaceutical grade. Well if you really read the regulations, pharmaceutical grade actually allows greater levels of contaminants something we don't want. The brain studies they talk about are some really lousy metanalysis studies based in China and a few other foreign countries where they've had to group together small groups in a mishmash and they've been able to show, showed what they've purported to be effects on intelligence. Well it's been disproved, it's not been disproved let's say that, in science nothing is ever totally disproved. What has been shown is that the studies were flawed. Subsequently there's been studies out of New Zealand, what's called a prospective study with over a thousand patients well controlled where they've looked a peoples with fluoridation exposure and compared them to who don't have fluoridation exposure and there's been no intelligence effects. The bone studies they site haven't even been published for most of them. One was a study done by a Harvard graduate in his dissertation. So it's not a conspiracy, there's many good organizations that have looked at this. You know science doesn't stick its head in the sand when somebody reports something; there are follow-up studies and there's been follow-up studies to all these things the people want to take fluoride out of the water has said, so I just want to end on fluoride to date has been shown to be safe, many, many, many organizations, there's no conspiracy, have come out in favor of fluoride and I hope you do too as well when the time comes. Thank you very much. (applause)

DR. SYDNEY WEDMORE – Wedmore – 155 South Street – It's really amazing the folks that are here. I'm just, my status here is I'm a country doctor, been hanging around here for the last forty years trying to keep some of you going. So we're sitting at a Board of Health meeting and a group comes in and says we want you to take the fluoride out. Why? Well, it's poison, you're giving us cancer, you're killing our kidneys, you're making our kids dumber, and you're making our teeth stained and it doesn't do any good. I thought – okay, yep, regular day in the Board of Health. It's kind of like, some of you may remember, that rooster ruckus now that was the devil's own work but everything shows up on our plate. But what I want you to know is the people who came before the board were bright, intelligent people with conviction, with ardor, with their belief that they were right and what was the most curious is in a world now where we have Ebola virus running wild, we have the ISIS beheading people, we have locally drug overdoses, what compelled them to use so much energy to disinter an argument that was put to rest thirty years ago. I submit they have a new champion. They have Dr. Conant and Dr. Conant I was interested in and went to his lecture. He's bright, he's articulate, he's facile with words and he cites a good deal of literature. The problem was, as I listen to him, the conclusions he drew became less and less plumb with my forty years of practicing as a dentist, as a doctor excuse me. So Dr. Conant has a computer, he has college degrees, he has credentials and moreover he's out of town which gives him another ten points on the credibility scale. The problem is for every Dr. Conant there are ten, a hundred, there are nay thousands of other professionals who also have college degrees, who have access to a computer who have also visited the entire world of literature and come up with the conclusion that he is dead wrong.

Now what are we pilgrims supposed to do in a situation like that? How do we find our way out of all of this expertise fog? I think what one has to do is to fall back to your own sense of common sense, your own experience. If you are presented with cancer, if you're worried about cancer, if you're concerned about cancer, if you have a relative who's got cancer, now you may flip on the internet first pass but the likelihood what you're really going to do is see an oncologist or better still go to Dana Farber right down the street, world class facility, they do the research, premier research in cancer, causes of cancer, treatment of cancer and when you go there they ask you any number of questions, what have you been exposed to, you know, radon in your basement, asbestos, analyn dyes in the cigars like I smoke but as far as fluoride it doesn't exist in their series of questions. They do not consider it a causative agent in human cancer.

Fluoride's killing our kidneys, they knock them around. You go to see a nephrologist and does he say – hey stop drinking the fluoridated water – not a word, doesn't concern him, what he will do or she will do is say watch the salt, watch out for the NSAIDS like Motrin and Advil and especially the admonition is no more than three bananas a day it's the potassium that'll get you every time. Also what's happening our kids are exposed to this, these kids have been drinking it their whole lives. If these facts are right all of our kids in high school should be broken down in the breakdown lane in the information highway and yet what do they do? They graduate from school, they go to good colleges, every year the SAT program goes up. Now maybe that's only the effect of the exemplary teaching in Rockport, or else maybe the premise is wrong about fluoride.

Now, Mr. Moderator, could you have these people do that again? Could they smile please? Any smiles out there? I am astonished. I am amazed – you folks are supposed to have 44% of fluorosis. I don't see it. Either you're lying through your teeth or else these facts are not right and it's not bad enough that we have to drink this stuff there are some folks who say if you shower in it, if you wash in it you're going to get poisoned. Now for a seaside community we got a real problem there and the reason being is salt water has twice as much fluoride as the stuff we drink. Can you imagine what's going to happen and I say you inn owners pay attention when the Board of Health starts putting up signs along the seashore saying do not swim in our water – contains fluoride – it's injurious to your health – voted at the Rockport town meeting this stuff can kill ya. I can hardly imagine what's going to happen to my Small Businessman Award of the Year after I do that. Now there are also allusions to breast milk. I mean I like breast milk (laughter) it's got my vote and it is held up as nature's standard of what's right in the world and the studies do show that breast milk has very small amount of fluoride in it. The problem is when they do quality control on it God must have gone to mug-up because they also put PCBs, dioxins and other things like that in breast milk and left out the iron and any of you who've had children know if you don't have iron in breast fed children after the first few months they get profoundly anemic. So there's a real quality control problem there with the breast milk. It's kind of like, you know, the ignition thing with the chevys there, as I understand it there may be a big recall of all models AA to DD made in the last fifteen years here and then if that's not enough to give you a headache what do you do? You get a glass of green tea you know it's purported to have, there's all kinds of testimonials. It's good antioxidants, calmer to perfect, good for your health, problem is that stuff is laced with fluoride. When word gets out that it's almost four times as much fluoride in green tea the Common Crow is going to be kaput. Now (Moderator: Sid, you're well over five minutes so if you could wrap it up) Yes, I will sir. (Moderator: Some of your dental patients are waiting for you.)(lots of laughter) Thank you sir. In a world where there is confusion and a world where there are authorities on both sides I simply ask you – use your common sense, use your own experience. I think we're doing a lot of things right in this town and fluoridation is one of them. I suggest you vote down this article. Thank you. (applause)

PAUL WEISS: 4 King Street – Hi – I'd like to suggest that this is, we do not consider this as a vote on whether fluoride is overall beneficial or overall detrimental. I happen to believe that for the vast majority of our population fluoride is not detrimental and in fact does have some positive effects in terms of prevention of dental decay and other problems. However, there is also some evidence that cannot be, I don't think discounted, that for some people with maybe certain diagnosis' in maybe infants or older people that fluoride could be detrimental to them and do we as a community because the vast majority of us are in no danger from this do we have the right to force the tiny, minuscule portion of our population who could be harmed by this we're going to force it upon them anyway even though they really, seriously believe and have all kinds of scientific evidence to back them up that they're being harmed by it. I don't think that we as a population have that right and the suggestion by the Board of Health that we have a place where you can drive to pick up uncontaminated water is a tremendous inconvenience and for those who really think that fluoride is beneficial to them they can always use fluoride toothpaste, mouthwashes and that type of thing. So I would urge that we vote yes on this motion because we don't have the right to impose upon a small minority our own feelings it's not about whether we believe that you know, overall as the doctors have said some are very much in support and others against. Thank you.

ANN ROCKWELL – 7 Squam Hill Court – One of the biggest arguments we hear from people about the fluoride issue is that the American Dental Association supports water fluoridation. Why would they support it if it's bad for you? The ADA is not a charitable organization. It sells hundreds of thousands of dollars' worth of endorsements for fluoridated products. The ADA is a political action committee, with paid lobbyists. It's a trade organization, which exists for the sake of itself and its members.

Between 2006 and 2009, the ADA and the ADA Foundation received over \$28 million dollars from pharmaceutical companies, fluoride producing companies like Proctor & Gamble, Colgate, Smith-Kline, Johnson & Johnson, Pfizer and others. Unspecified amounts are devoted to the promotion of fluoridated products and fluoridation. ADA's official policy statement specifically urges dentists to promote fluoridation, take leadership roles in doing so, and call upon government and charitable resources in this effort. It is a fact that the ADA is vital to the financial interests of its members. The ADA provides group rate health insurance, and in the Commonwealth of Massachusetts, no dentist can get malpractice insurance without ADA membership. The ADA has a financial hold over its dentists, and the fluoride producers have a financial hold over the ADA.

In the past, the ADA wrote it into their Code of Ethics that any dentist who opposed the ADA policy risked expulsion. In 1965 the ADA Journal listed dentists who opposed fluoridation, followed by derisive remarks. Although on the surface these tactics may have changed, the undercurrent remains. Tow the party line, or risk the displeasure of your parent organization and your peers, and forget about receiving grants. There is a great deal of pressure on dentists to conform to the ADA party line.

Almost all dentists make money selling fluoridated products and treatments as part of their revenue stream. Now that dental fluorosis has risen to over 41% there is plenty of money to be made providing veneers, crowns, and expensive procedures to correct the damage done by fluoride. This is additional

revenue for dentists and their parent organization, the ADA, which also provides seal endorsements for corrective products. Dentists claim that fluoridation provides affordable dental care for the poor, yet the poor suffer the worst from dental fluorosis. Heavily fluoridated inner cities continue to have the highest rates of tooth decay. The ADA's concern for the poor is mostly lip service, since 80% of dentists do not accept Medicaid, including both dental offices in Rockport. The ADA has a long history of making unsubstantiated claims. They claimed dental fluorosis wouldn't exceed 10%; now it's 41% of children, not including adults. They claimed fluoridation would reduce tooth decay by 65%, yet fluoridated and unfluoridated areas, here and abroad, show identical declines, as shown by independent research, as well as by their own endorsers and the Rockport Board of Health has agreed with this.

It is understandable why testimony by dentists in favor of fluoridation is hardly impartial or unbiased. How can it be with so many conflicts of interest? In 1944 the Journal of the American Dental Association published the following statement: "We do know that the use of drinking water containing as little as 1.2 to 3.0 parts per million of fluoride will cause such developmental disturbances as osteosclerosis, spondylosis, and osteopetrosis, and we cannot afford to run the risk of producing such serious systemic disturbances.." The Washington Bureau editor of the AD Impact, the monthly publication of the Academy of General Dentistry wrote last year that supporters of fluoridation have had an "unwillingness to release any information that would cast fluoride in a negative light," and that organized dentistry has lost "it's objectivity, the ability to consider varying viewpoints together with scientific data to reach a sensible conclusion."

Let's vote yes tonight to put the fluoride question on the ballot. (applause)

MAUREEN MCCARTHY: 62 Marmion Way – Hi, good evening everyone, so my name is Maureen McCarthy and I live at 62 Marmion Way and I also have the pleasure of owning 14 Breakwater. I got involved in this because of my dear friend, Inge Sullivan. Inge felt very strongly that this was going to be an issue and she asked me to get engaged. I'm a civil engineer. I have an environmental control degree/division and by environmental control degree from Perdue University highest distinction. My job was to put this stuff in your water. I've worked as an engineer for Exxon but it was the environmental control division and that was a bit of an oxymoron so since then I've been doing hardware and software. But the fact of the matter is, since Inge's asking I did investigate this so I'm just going to read to you something that I put together. So here's the deal so at first I really did not feel that this action had merit. However, after doing research on the issue I believe that there is significant merit to skip this practice or stop this practice. Most of Europe does not fluoridate their water supply. Israel just decided to stop adding fluoride to their water supply. It is an archaic practice in that the fluoride will flow over someone's teeth or, by the way both my children have fluorosis, either flow over the teeth and prevent cavities. The problem is that we then ingest the fluoride. There are much better products that offer the same service e.g. toothpaste, mouth rinse most children now actually get their teeth coated, their molars coated, so that they don't have cavities. Oh by the way, I grew up in a town where we had fluoride my mouth is full of cavities (laughs) so anyway so basically it's up to you guys. You want to put this stuff in your water, go ahead. Based on, I have a chemical engineering degree part of it from Columbia based on being a civil engineer I just think it doesn't make sense and I'm very well connected my brother-in-law happens to actually be a direct report to the governor for the EPA in Ohio. Thank you.

KAREN TYSVER: 5 Broadway – On March 22<sup>nd</sup> 2006 the prestigious National Research Council of the National Academies of Sciences released a 450 page review of fluoride toxicity. This report, which was three years in the making, concluded that there is no difference between rates of tooth decay and fluoridated and non-fluoridated communities. No difference. This multimillion dollar report concluded that the safe drinking water standard for fluoride causes significant damage to teeth and places consumers at elevated risk for bone damage, including bone fracture and joint pain. In addition to its concerns about tooth and bone damage the National Research Council identified a range of other health effects that may be associated with fluoride exposure including damage to the brain, disruption of the endocrine system, thyroid gland, pineal gland and glucose metabolism, especially bad for diabetics, and bone cancer. The crucial message of this report is that the highest scientific authority in the United States has determined that low levels of fluoride in drinking water may have serious adverse health effects.

We've heard a lot of arguments for and against fluoride tonight. There is one issue regarding fluoride for which there is no argument. About seven years ago I had a physical and was told I had very high cholesterol. My doctors and my nurse practitioner wanted me to start on Lipitor immediately, but I said no, I would rather try other avenues. For three years they tried to get me to take Lipitor and I refused. Finally, they did the Framingham heart attack risk assessment on me and found that I had a very low risk. As a nurse for over thirty years I knew that Lipitor had a lot of side effects as do all medications and so I wanted to try other things and so I refused it and I was correct in doing so. There is such a thing as the Patient Bill of Rights and this gives every patient the right to refuse a medication; it's an individual right and an individual choice. There's also something call the Constitution of the United States and that also affords us civil liberties and freedoms. And one of our freedoms is to decide what medication we are going to take. My neighbor can't decide whether to take Lipitor or not and my neighbor shouldn't be able to decide whether I'm going to take fluoride or not. This is an individual choice. It's not something that

anybody should decide but me and I think that makes perfect sense. I know that a lot of people are unfamiliar with fluoride we've lived our whole lives hearing how good it is for us and some of us haven't heard both sides of the story. I've recently read two books: *The Fluoride Deception* and also *The Case Against Fluoride*: one written by a biochemist and toxicologist from 18 years of research; the other a journalist with ten years of research. I'd like to donate ten of these books to the Rockport Public Library so that we can all find out more about fluoride.

It's all about personal choice and personal freedoms and we need to hold those freedoms closely and dearly to us and take responsibility for them. It's not up to anybody else what medications I take. Fluoride is a medication – it's used to *treat* us and what happens when somebody decides we should put something in there to help treat cancer or heart disease or any other illness. It's not something we should be putting in our water. For twenty-six dollars you can buy a year's supply of fluoride pills. The CDC says that in 1999 the Center for Disease Control which a lot of the proponents of fluoride have quoted tonight stated that the effects of fluoride are topical they are not systemic so why not just use a fluoridated toothpaste. In Amesbury they got rid of fluoride in the drinking water, unanimously all six districts voted against it and they offered fluoride toothpaste to lower income people instead because the effects are topical; this is the Center for Disease Control. The National Research Council is where the Center for Disease Control, where the ADA and where most of these organizations get all of their information. The World Health Organization and also cited here states that non-fluoridated and fluoridated countries both have the same decline in tooth decay there's no difference so it's not the fluoride causing the decline. It's better nutrition, it's better health care, it's better dental care, it's antibiotics there are a lot of reasons. It's not fluoride if it was there would be a huge difference (Moderator: It's been five minutes)thank you, between the non-fluoridated and fluoridated communities and countries.  
(applause)

MODERATOR: O.K. a couple more people. Do we have any lay people who are pro fluoride? I'd like to hear from you.

ELIZA LUCAS: Hi I'm Eliza Lucas, 57 High Street and this comment is not made on behalf of the Board of Selectmen. I'm speaking on this topic for two reasons. One is because I went into this totally neutral and two is because I may have had a little bit of more time to consider it than some of you because I am on a town board and we were given a lot of information on this topic. When the topic was first raised, my initial thought was that I'm not qualified to make a judgment on the overall health benefits or health risks of fluoridation in the water. So it was a relief to me to learn that the Board of Selectmen isn't tasked with making a decision like that. Also, this topic is not black and white for me. We all have the same goal. Our health is our top priority and I have complete respect for a healthy debate on the topic regardless of the differing opinion.

I was able to attend the event at the Cape Ann Fluoride Action Network hosted and I left there quite skeptical of fluoridation in our water supply. However, there were no proponents to fluoridation at the event so it was clear to me that I was only hearing one side. Since then, I have had an opportunity to discuss it with my own doctor who is part of the Beth Israel group and speak with my children's pediatrician at Beverly hospital. Both doctors told me they support fluoridation in the water. When I asked them to help me sort through it, they both had little skepticism and instead put their faith in the AMA and the ADA on the topic.

After those discussions I spent a little more time understanding the pro-fluoridation position and became comfortable with the supplement and my initial concerns were put to rest. Mainly because the amount of fluoride that's added to the water is very, very small and because of the overall benefit to our dental health. For me at this point in the debate it has come down to me making a decision on who I trust. Although I was initially alarmed with the concerns raised by the Cape Ann Fluoride Action Network, I had to take a pause and realize that I drive to the Beth Israel hospital for my doctors appointments because I believe that we have the best doctors in the world right down the street and I believe she is qualified to advise me on the topic; so I have put my trust in my physician on the health matters relating to my overall health and I am putting my trust in her recommendation on this matter as well.

I mean no disrespect to the proponents of removing the fluoride when I say it. Instead I am thankful that it was brought to my attention and it prompted me to research the topic but at this time I think it's a reasonable choice to continue to support the fluoride supplement in the water. Therefore I am not supporting the article. Thanks. (applause)

MODERATOR: Alright, one more back there and then Mary Francis and then we'll keep going.

SUE WALLER: 184R Granite Street – I think people should have the choice whether they have fluoride in the water or not, have the fluoride in the water for the kids or the elders, the people that are compromised beyond belief to not have the choice is not right. Thank you.

MARY FRANCIS: 67 High Street – I would like to call the question. (applause)

MODERATOR: Moving the questions requires a two-thirds vote. All those in favor of moving the question... (inaudible audience question) sure moving the question is a procedural point in which further debate stops until we take a vote to move the question. If two-thirds of the voters vote to move the question then we'll go immediately to the vote. Any other questions on what that means? (question from the audience) It means that for the moment the only thing that we're going to do is take a vote on whether to move the question which means go to the vote,

So you have heard that we're going to call the vote. This is going to require two-thirds. So all those in favor please raise your placard. This is to move the question now. Thank you. All those opposed the same sign.

That carries by more than two-thirds of those voting.

Now we're going to vote the question. So the motion under Article L – moving that the Town direct the Selectmen to petition the General Court for enactment of legislation authorizing the submission of the voters of Rockport at an annual town election or at a state election, of the following question:

“Are you in favor of discontinuing the fluoride supplementation of the Rockport Water Supply?”

Any question on what your vote means? All those in favor please raise your placard. Thank you. Opposed the same sign. That is too close to count so we're going to do this by a standing vote.

We need to get our tellers. We need six people to volunteer to count the votes and be tellers.

MODERATOR: Yes we are voting now for that article right there (indicating the screen) which has not been changed in any way and it reads as I just read it. A yes vote means that the town, although it uses the word direct, you've heard that it doesn't really mean direct, but directing the Board of Selectmen to petition the General Court for enactment of legislation authorizing the submission of the voters of Rockport at an annual town election or at a state election, the following question: “Are you in favor of discontinuing the fluoride supplementation of the Rockport water supply?”

So a positive vote directs or asks the selectmen to put that question on a ballot at an election. So there have been no changes or amendments to that.

Now I need five more people to stand and there's one right there thank you. We need two more. And one more, thank you mam. You get shiny pieces of equipment. We're doing this the same way it was done in ancient Mesopotamia.

The Town Clerk explained the sections of the hall and gave instructions.

The following tellers were sworn in: Frances Fleming, Peter Webber, Alan MacMillan, Maureen McCarthy, David Clark and Mary Craven.

MODERATOR: Remember you must have your orange placard which shows that you are a voter so only voters can vote. I just want to make sure that your Article L that you're seeing matches page 33 the Article L and you see the bold there - the motion, you see the article and you see the motion underneath and I think I didn't read the last paragraph which I see is displayed right now:

Said act should further provide that if a majority of those voting indicate they are in favor of discontinuing of such supplementation, the Selectmen and the DPW Commissioners are authorized and directed to take any and all necessary measures by those designated by them to carry into effect the discontinuance of the fluoride supplementation of the town's water supply.

So you see the entire motion right there on page 33. Okay? So any questions on what this means? Questions only.

UNKNOWN PERSON: I thought the vote was to either send this to a vote at a town election. Yes or No.

MODERATOR: I'll read it again. It's directing the selectmen to petition the General Court for enactment of legislation authorizing the submission of the voters of Rockport at an annual town election or at a state election, of the following question:

“Are you in favor of discontinuing the fluoride supplementation of the Rockport Water Supply?”

Said act should further provide that if a majority of those voting indicate they are in favor of discontinuing of such supplementation, the Selectmen and the DPW Commissioners are authorized and

directed to take any and all necessary measures by those designated by them to carry into effect the discontinuance of the fluoride supplementation of the town's water supply.

It says what it says. If you want some clarity we'll have our attorney tell you what it means.

DARREN KLEIN: What the town meeting is voting on tonight if this passes you are requesting the Board of Selectmen to petition the legislature to put the question that Bob just read on the ballot at an election.

MODERATOR: Okay, any further questions on what this means? Okay.

All those in favor of that motion please stand with your placard and be counted.

MODERATOR: This is by the way the procedure they use at Market Basket at a board meeting.  
(laughter)

As the tellers are all checked in, you may be seated.

Section One – 35 Section Two – 49 Section Three – 32.

All those opposed please stand up with your placards. Section One – 33 Section Two – 33 Section Three  
31

The motion carries 116 to 97.

MODERATOR: If you're leaving please be respectful and quiet. The next article is Article J which then means we're followed by Article K.

The Chair will entertain a motion under Article J.

ARTICLE J(8): To see if the Town will vote to transfer the property described below from the board or officer with custody of the property for tax title purposes to the Board of Selectmen for general municipal purposes and for the purpose of conveyance, and to authorize the Board of Selectmen to grant, on behalf of the Town, a permanent non-exclusive access easement on the Town property shown on Assessors Map 9 as Lot 108, which property abuts Pigeon Hill Street and Oakland Avenue, for the benefit of the parcel of land shown on Assessors Map 9 as Lot 109 which has an address of 18 Pigeon Hill Street and as shown on a plan by LeBlanc Survey Associates, Inc. entitled "Plot Plan, 18 Pigeon Hill Street, Rockport, MA, dated May 15, 2014 and is on file with the Town Clerk; or act on anything relative thereto. (*Board of Selectmen*) (2/3 vote)

LINDA SANDERS FOR SELECTMAN PAUL MURPHY: I move that the Town transfer the property described in Article J of the Warrant and found on page 27, 28, and 29 of the *Voters Booklet* from the board or officer with custody of the property for tax title purposes to the Board of Selectmen for general municipal purposes and for the purpose of conveyance, and to authorize the Board of Selectmen to grant, on behalf of the Town, a permanent non-exclusive access easement on the Town property shown on a sketch entitled "Easement Plan, 18 Pigeon Hill Street, Rockport, MA" prepared by LeBlanc Survey Associations and dated July 18, 2014 and on Assessors Map 9 as Lot 108, which property abuts Pigeon Hill Street and Oakland Avenue, for the purpose of maintaining an existing garage and for access, said easement to benefit of the parcel of land shown on Assessors Map 9 as Lot 109 which has an address of 18 Pigeon Hill Street and as shown on a plan by LeBlanc Survey Associates, Inc. entitled "Plot Plan, 18 Pigeon Hill Street, Rockport, MA", dated May 15, 2014, and is on file with the Town Clerk.  
Moved and seconded

LINDA SANDERS FOR SELECTMEN PAUL MURPHY: I move to amend Article J by inserting the words "to convey said property or portions thereof on such terms and conditions as the Board deems appropriate, including, without limitation," after the word "Selectmen" and before the words "to grant".  
Moved and seconded.

MODERATOR: We're talking now about the amendment. Anyone have any questions?

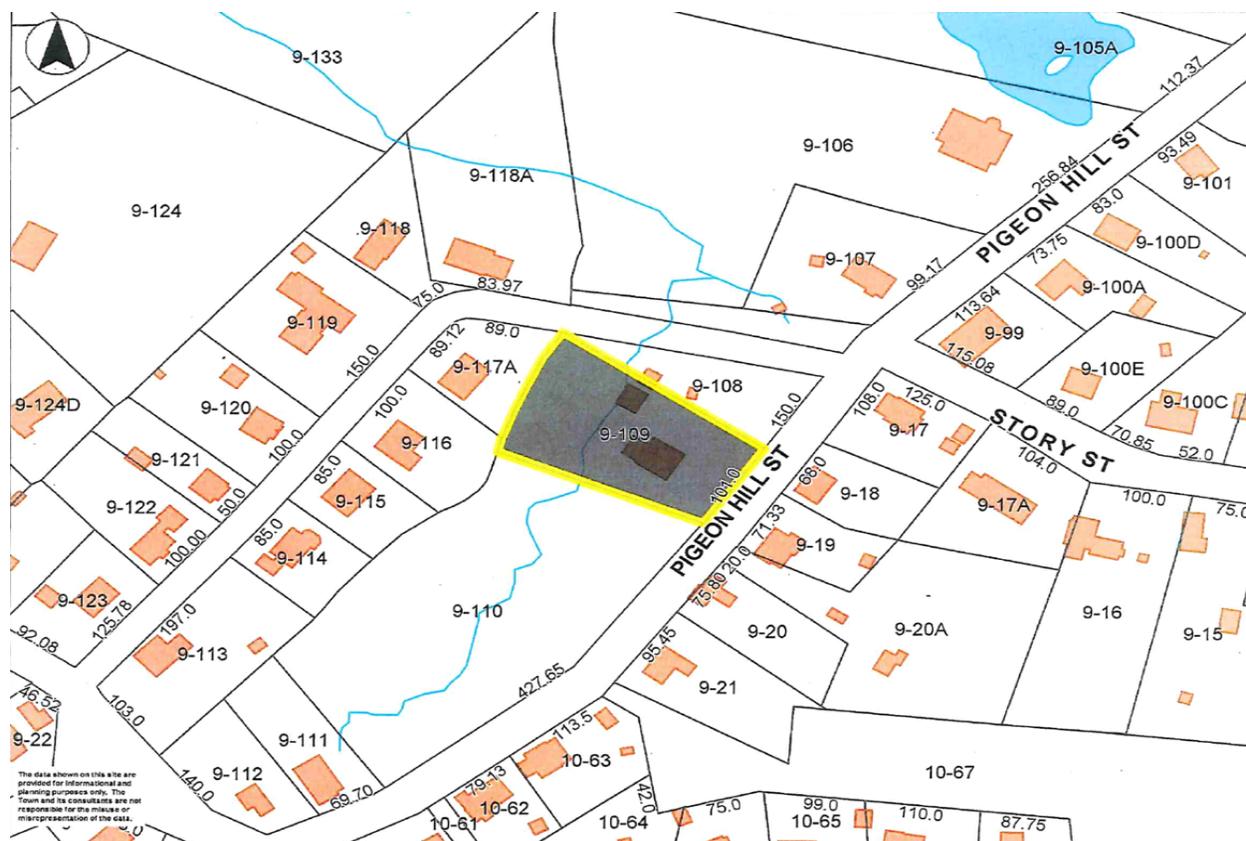
LAURA HALLOWELL: 37 High Street – I'm not sure if it's a question on the amendment or the article but could somebody explain why the town is involved in a transfer of property to fix a garage, to fix something about a garage.

LINDA SANDERS, TOWN ADMINISTRATOR: The town was requested for an easement by the people of 18 Pigeon Hill Street because their garage overhangs the boundary. There's a triangle (could you put the other picture up there) you see 18 Pigeon Hill Street is surrounded in yellow there, that little triangle right above it is tax title land that the town took many years ago as tax title, it owns it. What this would do is convey it to the Board of Selectmen to allow them to either to grant an easement so that little piece of garage that's hanging over there can stay there or the amendment says it also gives the Board of Selectmen some flexibility if they perhaps want to sell it to the abutter rather than..an easement..I don't know what they would want to do but it just provides flexibility.

TOBY ARSENIAN: That puts a different configuration on it if we're being asked to authorize the sale of the property. Is that correct?

LINDA SANDERS: That's what the amendment would do, would give them the option to sell the property.

TOBY ARSENIAN: Well we're not told on what terms or anything of the sort. I think that with the granting of easements on town property either ought to be a board policy on how much money we're going to get and you don't want to hold people to ransom because they suffer the unfortunate effects of sloppy surveying in the dim and distant past or not so dim and distant past. I certainly wouldn't vote to authorize the Board of Selectmen to sell the property.



CAMERON SMITH: 10 Rowe Point – I think I have Point of Order I want to ask your opinion on that. We seem to have a great exodus of one issue group here and I believe that there is a provision in our bylaws that allows a revote in this case. Am I correct - a in reconsideration?

Audience noise with voices of no.

MODERATOR: And I believe, give me a moment. A motion to reconsider a matter previously acted upon shall require an affirmative vote of two-thirds of those present and voting. Any person intending to move for reconsideration – is that what you're doing? – is that yes or no? – (yes) shall give notice of such intent to the moderator promptly and no event except by unanimous consent more than 30 minutes after the vote reconsideration of which is sought. And you've met that criteria so I shall then as soon as practical inform the town meeting as to when the motion for reconsideration will be presented. All motions shall be presented before any new warrant article is taken up for action at the beginning of the next succeeding session of town meeting. So which way did you vote on this, Mr. Smith? Okay, let me confer for a moment with town counsel and I will get right back to you.

Our town counsel is consulting his various treatises on the matter and in the meantime we'll continue to discuss the pithy issues of the easement on Pigeon Hill Street. Are there anymore questions in that regard before we vote on the amendment for anyone who hasn't yet spoken?

LUKE ELLIS: 27 Pigeon Hill Street – I was wondering if there'd be any more opportunity to speak on that matter before we call that vote.

MODERATOR: No, we're talking about the easement right now. No we have to hear from other people.

JONATHAN RING: 9 Poles Lane – So a person is allowed to bring up a reconsideration in the middle of... MODERATOR: We're only talking about the easement right now. JONATHAN RING: I understand but the fact is, is that he didn't wait until discussion of the easement was finished for him to bring up the motion of reconsideration *that* should be put out of order.

MODERATOR: So we're still talking about the easement. Anyone who hasn't talked about that.

MARY FRANCIS: I just need some clarification on the amendment that the Board of Selectmen is suggesting. Does that mean the Board of Selectmen will have the right before an easement is given to tell, for instance, the Fisher family who owns this property they have to *buy* that piece of property to have an easement? I'm not clear why we have a need for this amendment.

SARAH WILKINSON: I'll try to answer best I can but Linda then can correct me if I'm wrong because she's been working on this more closely. It doesn't mean that at all. The original article was meant so that we could grant, it authorized us to grant a permanent easement but the selectmen could also grant a temporary easement so if we're authorized to grant a permanent we can also grant a temporary. But it doesn't work the reverse. Does that make sense? So if town meeting authorizes us to grant a temporary easement we then can't go and grant a permanent one. But in doing work on this it became clear that actually selling them the tiny parcel may be a better option. So Linda thought to make this amendment so that we would have the option in working with them to figure out the best solution for the property. So it just gives us more options in working with them but I don't think there's any thought that we would tell them that they *had* to buy it. It's all in what's going to work out best.

MARY FRANCIS: So the family wants to sell this property and they have a buyer and the buyer is waiting to hear the answer tonight about whether or not there's an easement. SARAH: Oh, I actually had no idea about that so that's actually...

LINDA SANDERS: I don't either. All this does is authorize the selectmen to do whatever is needed and we have a draft easement going on. You know, it's MARY FRANCIS: It's the temporary part that would cause a buyer LINDA: It was requested as just a temporary easement so.

SARAH WILKINSON: So this just grants us the authorization to do that so they would come to us and we would figure it out.

MODERATOR: Just to let you know that I did hear from Attorney Klein and that motion appears to be in order. The reconsideration vote will be after we finish the discussion and the voting on J and K. So that is when that will take place. Any other people, other than Toby, to talk about the amendment then we'll hear from Toby.

UNIDENTIFIED PERSON – May I ask when this garage was put there? The reason why I'm wondering is a temporary just seems so much more logical if there is a chance that the town would choose to put this property for sale and that might be a deterrent for sale in the future.

LINDA SANDERS: I don't know when the garage was up there and..it's many, many years; many, many, many years.

UNIDENTIFIED PERSON AGAIN: I would therefore recommend just temporary to be settled when we decide what to do as a town.

ROBERT FISHER: 10 Munroe Drive – the garage was placed in 1912 by Silas Waite (laughter and a wow) and the driveways were tarred and graveled in 1912. We're not asking for anything new or anything different or any change just to continue as it has been for over a hundred years that property has been just the way it is with *absolutely* no changes. No complaints from anybody that, the town took the land over in 1959 and there was no complaints, there's been no problems and I hope that answers your question on when it was built.

HILDY FEUERBACH: 15 Pigeon Hill Street – I live across the street from this property and I'm totally in support of us granting approval for a permanent easement of this, for this garage. I don't think a temporary easement will solve the problem so I just wanted to express that I support a permanent easement for the garage.

MODERATOR: Okay, Mr. Tarr who recalls when that garage was built (laughter) is going to talk to us.

FREDERICK TARR: Gee all these new buildings going up all over the place. Now I was just going to say the remainder of that lot certainly isn't good for much and you can't sell it. There isn't room for a house or anything on it. I was going to suggest perhaps the selectmen were right in having the option to sell that piece of land so that we can at least get some taxes on it.

TOBY ARSENIAN: I don't see anything wrong with granting a temporary or even a permanent easement but what Paul Murphy proposed and I believe we're still talking about the amendment. Is that correct? (answer: yes) Okay, authorize the selectmen to sell the property I think if we're selling property, even if it's a sliver of property, that's not otherwise buildable that we ought minimally to be told what the town

would get for it. Ordinarily when the town sells property there's a procedure, town counsel can explain it, and it goes to the highest bidder. That wouldn't make sense in this case because it's not a buildable lot presumably no one other than the abutter would bid on it. So what would the selectmen ask for a minimum price of the lot and if we're being asked to part with property, even a sliver of property is worth something considerable. I think the selectmen owe it to us to tell us what they intend to get for a minimum bid and I also believe my remark about some standard for granting easements. That was simply ignored. Do the selectmen have some standard as to what we get for an easement temporary or permanent or isn't the question going to get an answer.

MODERATOR: Ignore or answer?....Toby do you want the truth?

SARAH WILKINSON: There are no plans to sell it we were just trying to make sure we had all of our options on the table so that we didn't have to wait until another town meeting to come to you for this. We're actually trying to do things more efficiently, save a little bit of time and I don't want to say kill more birds with one, whatever that saying is, but this isn't a really complicated, Toby you're welcome to vote against the amendment, anyone is welcome and we're just trying to clean up the area in this situation. That's all.

MODERATOR: All right, final point right here and then we'll vote.

BOB BURBANK: 45 Atlantic Avenue – it sounds to me this is clearing up property line issue with a garage over it. It's not unusual to give temporary or permanent easements. A temporary easement could be at the life of the garage. If the garage is ever torn down the easement ceases so therefore it could be a temporary easement or you could make it a permanent easement and an easement you could have exchange of funds for \$1 or \$10 so I would want to vote both the amendment and the main motion to give the selectmen the ability to resolve a little property line issue that goes back a hundred years. That's not unusual it happens a lot in surveys, they go back. I'm a registered land surveyor so I'm familiar with that.

MODERATOR: All right you've heard the motion. The motion is to amend the article by inserting the words "to convey said property or portions thereof on such terms and conditions as the Board deems appropriate, including, without limitation," after the word "Selectmen" and before the words "to grant".

So in other words the amendment give the selectmen the discretion, besides granting an easement to sell the property. All those in favor of the amendment please raise your orange placard. Thank you. Opposed the same sign.

That motion carries.

So now we are discussing the motion as amended. Any further discussion on this? All right, so now we are going to vote the question as amended. ( audience noise) We're just talking about the garage that was built 102 years ago we can't have our discussion take as long.

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

The motion carries.

We move on to Article K which will be followed by our discussion on the revote which will then be followed by M.

The Chair will entertain a motion under Article K.

ARTICLE K (9): To see if the Town will vote to authorize the Board of Selectmen to grant, on behalf of the Town, a permanent non-exclusive access and utility easement on the Town property shown on Assessors Map 28 as Lots 71 and 81, known as the South End Water Tower Road, to Leslie Whelan of 52 Thatcher Road to allow her access to her property on such terms and conditions as the Selectmen deem appropriate; or act on anything relative thereto. (*Department of Public Works*) (*majority vote*)

LINDA SANDERS FOR DPW COMMISSIONER JIM GARDNER: I move that the Town authorize the Board of Selectmen to grant, on behalf of the Town, a permanent non-exclusive access and utility easement on the Town property shown on Assessors Map 28 as Lots 71 and 81, known as the South End Water Tower Road, and found on pages 30, 31, and 32 of the Voters Booklet, to Leslie Whelan of 52 Thatcher Road to allow her access to her property on such terms and conditions as the Selectmen deem appropriate.

Moved and seconded.

MODERATOR: Any discussion?

FREDERICK TARR: Thank you Mr. Moderator – this makes ultimate sense because the other access to the property is extremely difficult and expensive. However, I would say that although this is not official Miss Whelan was very good at the original hearing before the Board of Appeals when planning this that as you can see on page 32 there is a horseshoe trail goes through this land and has been there, my mother used to use it you know a hundred years, two hundred years it was the way to Gloucester before Thatcher Road was built but she has graciously said although it has not been worked out in details that she would permit that path to be relocated probably to the rear of the property so that access to the old horseshoe trail, to the Gloucester trails would not be impinged upon, again unofficially but she..I would hope that would be weighed in the consideration of the granting of this easement which as I say does make ultimate sense. Thank you.

MODERATOR: Any further discussion? All right, you've heard the motion. All those in favor please raise your placard. All those opposed the same sign.

That motion carries.

We will now hear from town counsel.

DARREN KLEIN: Through the Moderator, Darren Klein from Kopelman & Paige. I'm speaking on the reconsideration procedure. I know that there have been a number of questions already. This town has a very specific bylaw on reconsideration. Many things are not incredibly clearly written but I think I can summarize it in a few clear steps. First of all, unlike General Robert's Rules of Order anybody can make a motion for reconsideration, he or she does not need to be among the people who voted for the article that's being reconsidered General Robert's Rules of Order states that it's customary that it be a person from the prevailing side; your bylaw does not *not* contain that requirement so any person can make a motion to reconsider. The motion he or she would need to give notice to the Moderator within thirty minutes of the initial article being decided. It has been deemed that the notice was given within that thirty minutes. The Moderator then must, once he has ruled that notice in order, the Moderator is to give notice to town meeting as soon as practicable of when that motion will be considered, when the motion reconsidered will be heard. Through your bylaw it says that it has to be before the first article of the next session of town meeting, which we do not think is going to apply tonight because we should get through all business so if it's going to be heard on the night that notice is given it's supposed to be after all other articles are heard so what I think is going to happen as soon as I'm done speaking is the Moderator is going to officially notify town meeting that the motion to reconsider will be heard after the final article, as soon as the final article is disposed of tonight.

MODERATOR: What he said. (laughter)

DARREN KLEIN: One last thing, to be reconsidered – thank you by the way – to be reconsidered will require a two-thirds vote. So to even be reconsidered it's going to require a two-thirds vote.

MODERATOR: Questions as to the legal opinion I'll leave Mr. Klein here to answer those. Are there any questions – one or two questions?

FRANCES FLEMING: This is not a question it's a statement. I'm not in favor of people getting up and leaving town meeting but when we've had a vote and it's been counted twice and people leave thinking that their vote stands to me it feels sleazy to turn around and revote. (applause)

MODERATOR: I was looking for a procedural question, but okay – procedural question like how do we do this? We're going to take that vote when we have gone through all the other articles and if we have two-thirds then we'll go through the reconsideration process. Any questions on that? That's what the bylaw says. Questions on that?

STEPHANI COLBY: 3 South Street Court – by this do you mean that at the end of the meeting tonight we could overturn the decision made earlier this evening. Is that what you're saying?

MODERATOR: That we could reconsider it if two-thirds vote to reconsider it then we would reconsider it.

STEPHANI COLBY: But what does reconsider mean? (Attorney Klein answering over more discussion)

DARREN KLEIN: If there is a motion made in a second then there would be a vote taken on whether or not to reconsider the article. To reconsider the article that motion would need to pass by two-thirds majority. If that fails to get a two-thirds majority there is no reconsideration. If that motion to reconsider does get a two-thirds majority then the article would be back in front of town meeting for your reconsideration a second time. But to even get to that would require a two-thirds majority vote on the motion to reconsider.

STEPHANI COLBY: I'm having trouble with the verb reconsider. I really want to know, in plain language, does that mean that the possibility of overturning the earlier vote could occur at the end of this?

ATTY KLEIN: Correct

STEPHANI COLBY: Okay, all right so I feel that this, it may be legal but it's very unethical and these people who've left did not know obviously that this was an option. I think this kind of thing should be announced at every town meeting so people realize the consequence if they leave at a certain time. Rockport's a community of trust it's one of the reasons that many of us live here. This is going to hurt a lot of people even if it's supported. The decision is supported again when people hear about this they're going to feel like this is not a community of trust this is a place where things can be overturned without your knowledge. I think an announcement should have been made and I think this is wrong. (applause)

ATTY KLEIN: Through the Moderator, a very fair point but I believe the rules of town meeting are printed in the town meeting booklet. The reconsideration is in the booklet but I understand your point, not everyone reads that, for sure.

MODERATOR: Yeah, it's on page 9. I can't really read all of this and that's why we put it in there and post it on the internet. I hear what you're saying but the rules are the rules. I didn't make these rules, these are your rules.

We just want questions, we don't need editorial comments so if you have a question as to how this works please ask it, if you don't then please let's wait 'til the appropriate time.

UNKNOWN PERSON: The question is two-thirds are just on to move that question on the table. (Moderator: That's correct) and then it's a fifty-fifty way of normal (Moderator: we start from scratch) to get it passed. (Moderator: yes) okay.

MODERATOR: Any other procedural questions, as to percentage of votes, things like that.

JOANNE DEMETRA: 6 Smith Street – There was plenty of conversation about the two-thirds vote and doing it over again but if there's not a two-thirds vote does the vote stand?

MODERATOR: Yes

ATTY. KLEIN: And it cannot be reconsidered again.

FRANCES FLEMING: Is it possible to take the vote now and get two-thirds as to if we want to reconsider and then if that passes at the end of all the other motions that we've voted on. Then take the vote to see if the majority wants to overturn what happened before. That it seems like those people here would like the opportunity to decide now whether they even want to reconsider that vote and then do that at the end of all the other business. Is there a way to separate those two things?

ATTY KLEIN: Darrin Klein through the Moderator, it's an excellent question, however in my opinion because of the very specific language of the town's bylaw that is not one of the things that town meeting can vote to take out of order. You do have the ability, by I think, four-fifths vote to take certain articles out of order but you have a very specific rule on reconsideration and in my opinion there's nothing in that rule that allows you to do it in any order other than at the end of other business tonight.

MODERATOR: Okay now we're going to proceed to Article M and we will revisit this issue after we've completed all of our other business.

ARTICLE M (10): To see if the Town will hear and receive a report of the Board of Selectmen; or act on anything relative thereto. (*Board of Selectmen*) (*majority vote*)

LINDA SANDERS FOR THE CHAIR OF THE BOARD OF SELECTMEN SARAH WILKINSON: I move that the town hear and receive a report of the Board of Selectmen.

Moved and seconded

SARAH WILKINSON: Thank you. I was going to tell people that I felt bad this was long they'd have to stay awake but it seems like everyone's awake now and coming back which is a really good thing. This is a report, this is Article M.

We are submitting this report to you to provide clarification and an update regarding the disposition of the three tax possessed properties discussed at the April 5, 2014 Annual Town Meeting (Article P). In

addition, we want to notify you of a problem that was discovered recently regarding the town's plowing of some private roads.

First tax possessed properties: At the Annual Town Meeting last April, town meeting voted to transfer care, custody and control of the parcels listed below from the tax custodian for the purpose of sale at public auction to the Board of Selectmen for general municipal purposes for the purpose of conveyance, and to authorize the Board of Selectmen to sell or otherwise dispose of said properties on such terms and conditions as it deems appropriate and to execute such documents and take such other action as may be needed to effectuate the purposes of this vote; said properties being identified as follows:

33 Atlantic Avenue as shown on assessor's map 22, lot 140  
59 High Street as shown on assessor's map 18, lot 26  
8 Marmion Way as shown on assessor's map 26, lot 109

There was much discussion around the method of disposing of the three properties by public auction because the exact process was unclear to all of us at the time. As we made progress in preparing the properties for sale, we've learned exactly what method we are required to follow and wish to share that with the town meeting voters for clarification.

There are two methods of disposing of tax title property: 1) the tax custodian, who is the Town Administrator in Rockport, can sell tax title property to the highest bidder at a public auction, and 2) the property can be transferred from the tax custodian to the Board of Selectmen for general municipal purposes and for the purpose of conveyance, and authorize the sale. At our annual town meeting in April this is what we did. Once this transfer happens, the property becomes part of the town's overall public property and must be disposed of in the same manner as all municipal property by complying with the procedures set forth in the Uniform Procurement Process known as Chapter 30B.

The process for selling properties governed by Chapter 30B is actually a more flexible process than a public auction. This RFP process (Request for Proposal) permits the town to evaluate proposers based on price and other comparative criteria received from proposers in sealed bids. The selectmen can advertise to a wider audience and specify certain conditions that can't be done at a public auction. In some circumstances potential buyers may have complicated financing issues or want more time to inspect the property and assess its potential than the typical auction process allows. Unlike the auction process whose primary purpose is to sell tax title property at the highest price, the RFP process permits the selectmen to evaluate proposals based on a broader range of considerations, which may be particularly important if selectmen want to exercise some control over the future development of the property. With this process, as with the public auction, any member of the public is welcome to submit a bid. I'll say again because it's really important, any member of the public is welcome to submit a bid.

In summary, the three properties will not be sold at a public auction because they are no longer in the tax custodian's hands. They will be sold according to MGL Chapter 30B in which we will issue a Request for Proposals and accept sealed bids from any and all who may be interested in purchasing them. In addition, at our last selectmen's meeting the board discussed the possibility of selling or renting 59 High Street as affordable housing. Although it was just a discussion item and no vote was taken, from our discussion it appears as though we will not move forward with this prospect. The house currently on the property is in an extreme state of disrepair so the town would either need to build or rebuild and then sell the house, or sell it as is with or without the house with strict affordable housing restrictions. Both of these scenarios might hold up the process, which we do not want to do, and might add cost to the town.

If this property presented an opportunity to add to our affordable housing stock, that would not add significant effort and potential cost to the town, it would be a viable option, but we do not believe this to be the case. We also do not want to be in the position of building or rebuilding and being a landlord. At our next selectmen's meeting we will be discussing removing the building before the sale to see if this is a viable option.

Now moving on – plowing private roads. This is shorter I promise. In the process of working with the Board of DPW Commissioners and the DPW Director to clarify the criteria that would make private ways eligible for snow plowing, it was discovered that the compliance with the statute (MGL Chapter 40, Sections 6C and 6D) was misunderstood 41 years ago, how about that, when it was voted at the March 5, 1973 Annual Town Meeting. I won't tell Selectmen Murphy how old I was then. State law allows towns to appropriate money for the purpose of plowing private roads that are open to the public use and designated by the Board of Selectmen, however, it requires acceptance of the local option statute which is Chapter 40, Section 6C, however not at a town meeting. The inadvertent error occurred back in 1973 when it was believed that the acceptance of the law could happen at town meeting, however, this statute must be accepted by a ballot vote at an annual election upon receipt of a petition of two hundred registered voters or 20 percent of the total number of registered voters. Because this didn't happen, we are now faced with solving a problem with no ideal solutions. Some of the questions we have been asking are: do we continue plowing the private ways without public permission because of the hardship it could

cause for the residents? Can plowing all of the currently plowed private roads be stopped immediately or would it be better to phase it out? Should any of the currently plowed private roads become public? Do two hundred voters wish to bring the required petition forward to place the question on the next annual local election in May? That's a kind of nudge, nudge we actually need two hundred of you to do that.

After a great deal of discussion, we believe it would cause the least disruption if we continue to plow the private ways that we have been plowing for the coming snow season only. This would give warning to all of the affected people and also explain that a petition to ask voters the question will be necessary to plow any private ways after this upcoming snow season. We will hold public meetings and keep residents informed as we make progress with this topic.

We appreciate all of your continued support and collaboration in dealing with the important business of the town. We, the Board of Selectmen, welcome all residents to our meetings every other Tuesday night in conference room A of town hall. We always welcome comments, questions and concerns. Please know that your input helps us greatly in making the decisions we believe are best for the town as a whole. Respectfully submitted on behalf of the Board of Selectmen, Sarah Wilkinson. Thank you.

MODERATOR: All those in favor of accepting that report please say aye. Opposed say no.

The motion carries.

We now have D followed by E followed by F.

The Chair will entertain a motion under Article D.

ARTICLE D (11): To see if the Town will hear and receive the annual report and recommendations of the Community Preservation Committee pursuant to Section 5 of Chapter 44B of the General Laws and Chapter 2, Section 5(d)(ii) of the Code of By-laws; or act on anything relative thereto. (*Community Preservation Committee*) (*majority vote*)

LINDA SANDERS FOR RUTH GEORGE CHAIR OF THE COMMUNITY PRESERVATION COMMITTEE: I move the town hear and receive the report of the Community Preservation Committee.

Moved and seconded.

RUTH GEORGE: Good evening. My name is Ruth George, I'm the chairperson of the Community Preservation Commission and I live at 86 Granite Street. The Community Preservation Act allows cities and town in the Commonwealth of Massachusetts to adopt a property surcharge with revenues from this surcharge and state matching funds to be devoted to open space and recreational use, historic preservation and community housing. Since 2002 the Town of Rockport voted in the Community Preservation Act at 3 percent, the maximum, and reaffirmed it again in 2008. Money to support CPA in Rockport comes from two sources: a surcharge of 3 percent on local property taxes and funds collected from a \$20.00 fee on real estate transactions and state matching funds. The level of matching funds we receive depends on the percentage of communities in Massachusetts that have adopted the CPC Act. We have been very fortunate that the citizens of Rockport adopted it at the 3 percent max.

CPA funds collected can only be invested in certain community preservation projects. All projects requests since that act was passed came to us and then to you from individuals, groups and town committees. We have needed and continue to need your input. We write to all town committees and commissions annually and also solicit applications through the newspaper explaining the law and how these funds may be used. We hold an advertised public hearing to go over the application process with interested parties. Our workshop will be this October for the next year's project applications. Those with a request file an application, make a presentation and answer our questions. We often ask them to return after making changes or clarifying issues. We then take another few months to review projects with those applicants and vote on final recommendations for the fall town meeting and the voters.

Ten percent of the funds received in any fiscal year must be allocated for each of the three areas. The remaining 70 percent of each year's funds can be spent in any of the areas as determined by Rockport. CPC funds cannot be used for general maintenance. In addition 5 percent of the annual CPC revenues can be spent on administrative and operating expenses for the CPC. Consistent with the terms of CPA and with the adoption of the bylaw in 2002 a CPC committee was formed to study and recommend how Rockport's CPA revenues should be spent. The committee is appointed by the Town Moderator and mandates that certain town committees serve as representatives to the committee. The committee currently includes: MaryAnn Lash, representing the Conservation Commission, Stephen DeMarco, representing the Historic Commission, Edward Hand, representing the Planning Board, Paul Sena, representing the Department of Public Works Board of Commissioners, Bethany Brosnan, representing the Rockport Housing Authority and four at-large members: Philip Crotty, Julie McMahon, our current Treasurer Mel Michaels and myself, Ruth George, Chairperson.

In 2014 and again for this coming year 2015, the Governor included in the fiscal year's budget, the transfer of \$25 million from the budget surplus to statewide CPA trust fund. With our match at 3 percent this is great news for the Town of Rockport. Our estimated FY 2015 tax revenue, based on actual FY 2014 is \$442,140.00 and our estimated FY2015 state match would be \$319,100.00 and an estimated interest at \$4,000.00. Since its beginning in 2002, the town has spent over \$5 million in projects funded thru your local Community Preservation Committee. Tonight we bring you nine new projects that we feel deserve your support for the Town of Rockport. Respectfully submitted, Ruth George, Chair, Rockport Community Preservation Commission.

MODERATOR: Thank you Ruth and thank you for all of your and your committee's herculean efforts.

TOBY ARSENIAN: Undoubtedly the committee puts a great deal of effort into it but I believe that both the Community Preservation Committee and we the town meeting have become overly generous and careless in dispensing with the money. I think the question is with each of these projects would you be spending this money if it were a separate town meeting article all of it coming out of the tax money and I feel that numbers of the projects that we voted in the past and numbers that will be proposed this evening would not meet that criteria. I asked Ruth George before the meeting how much of every hundred dollars that we spend of the community preservation funds comes out of the taxes and she'll correct me if I'm wrong but I believe that's 60 percent so this isn't monopoly money, it isn't funny money, it's tax money, the majority of it and should be treated with that degree of caution.

MODERATOR: Anybody else?

TOBY ARSENIAN: Yes, if I can continue just briefly. For all of the articles that we pass that (Moderator: sure) – TOBY: thank you, my sieve brain I can't remember two things at once, the Finance Committee gives us advice, usually good advice, but not always on whether we should vote for the articles; these also involve tax money, it's real money why don't we have recommendations from the Finance Committee on each of these proposals?

MODERATOR: Any other questions? Comments?

JUNE MICHAELS: The Finance Committee has had a liaison, one member of the Finance Committee is the liaison with the Community Preservation Committee and that person attends as many meetings and listens to the projects and reports back to the Finance Committee. The Finance Committee always reserves the right to speak for or against any money article. In this case, the Finance Committee has voted to support all of the articles.

MODERATOR: Anybody else? Alright, you've heard the motion which is to accept that report and receive it. All those in favor say aye. All those opposed say no.

The motion carries.

We will move ahead to Article E.

ARTICLE E (12): To see if the Town will vote, pursuant to Section 6 of Chapter 44B of the General Laws, to set aside in the Community Preservation Fund sums of money from Community Preservation Fund FY2015 estimated annual revenues for later spending for the respective purposes indicated:

*First*, a sum of money to be deposited in the Community Housing Reserve Account;

LINDA SANDERS FOR RUTH GEORGE: I move that \$76,525 be transferred from FY15 Estimated Annual Revenues of the Community Preservation Fund to the Community Preservation Fund Community Housing Reserve Account.

Moved and seconded.

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

The motion carries.

We move on to, now the next motion.

*Second*, a sum of money to be deposited in the Open Space/Recreation Reserve Account;

LINDA SANDERS FOR RUTH GEORGE: I move that \$76,525 be transferred from FY15 Estimated Annual Revenues of the Community Preservation Fund to the Community Preservation Fund Open Space/Recreation Reserve Account.

Moved and seconded.

MODERATOR: Any questions? All those in favor say aye. Opposed say no.

The motion carries.

Now we're onto the third motion.

*Third*, a sum of money to be deposited in the Historic Preservation Reserve Account;

LINDA SANDERS FOR RUTH GEORGE: I move that \$76,525 be transferred from FY15 Estimated Annual Revenues of the Community Preservation Fund to the Community Preservation Fund Historic Preservation Reserve Account.

Moved and seconded.

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

The motion carries.

We move on to Article F.

ARTICLE F (13): To see if the Town will vote to appropriate and transfer from the Community Preservation Fund the following amounts for the respective purposes indicated:

*First*, \$33,394 to be expended under the oversight of the Rockport Public School Committee, working with the Community Preservation Committee, for the restoration, rehabilitation, and/or preservation of the School Tennis Courts;

LINDA SANDERS FOR RUTH GEORGE: : Yes, Mr. Moderator the first motion is I move that \$33,394 be appropriated and transferred from the Community Preservation Open Space and Recreation Reserve account and expended under the oversight of the Rockport School Committee, working with the Community Preservation Committee, for the restoration, rehabilitation, and preservation of the School Tennis Courts.

Moved and seconded.

RUTH GEORGE: The Rockport Public Schools are requesting a grant of \$33,394.00 for the restoration, rehabilitation and preservation of the school/community tennis courts. The tennis courts located on this school complex are utilized by school students and the general public when school is not in session. These courts are in much need of repair, with long cracks that have been repaired multiple times on a small scale and have had routine maintenance but are desperately in need to be completely restored. This project would be done during a two week period in the summer. There has been a large amount of support from students, facility and residents for this project to be completed for all to enjoy the courts.

MODERATOR: Mr. Seppala? No? All right. You've heard the motion. All those in favor, hold up your rackets –no, we don't have rackets. All those in favor say aye. Opposed say no.

The motion carries.

*Second*, \$7,000 to be expended under the direction of the Director of Public Works and the DPW Commissioners in conjunction with the Old Garden Beach Association, working with the Community Preservation Committee, for the replacement, restoration, rehabilitation, and/or preservation of the Old Garden Beach Protective Fence;

LINDA SANDERS FOR CHAIRPERSON GEORGE: I move that \$7,000 be appropriated and transferred from the Community Preservation Open Space and Recreation Reserve account and expended under the direction of the Director of Public Works and the DPW Commissioners in conjunction with the Old Garden Beach Association, working with the Community Preservation Committee, for the replacement, restoration, rehabilitation, and preservation of the Old Garden Beach Protective Fence.

Moved and seconded.

RUTH GEORGE: The Old Garden Beach Association is requesting a grant of \$7,000.00 for the replacement of the wooden posts that presently comprise the fence along the coastal bank, between Davis Park to the left and the Old Garden Beach ramp to the right. This area is subject to extremely harsh weather conditions, especially during the winter months. As a result, this needs to be periodically replaced. The Old Garden Beach Association would like to replace the current fence and polypropylene line with native granite posts and three-quarter inch mooring chain. The chain would be held in place by metal bolts attached to the posts. This granite post and chain configuration would be a more permanent protection to the coastal bank as well as contributing to the overall aesthetics of the area. The Old Garden Beach Association, through the use of dues, donations and fundraisers, is prepared to partially underwrite this project. In addition, the Old Garden Beach Association will provide volunteer labor and expertise. The Conservation Commission and the DPW have supported this project.

MODERATOR: All right. Questions? You've heard the motion. All those in favor raise your surfboards. No. Okay say aye. Opposed say no.

The motion carries.

*Third*, \$115,000 to be placed in the Conservation Trust Fund, to be administered by the Rockport Conservation Commission to be used for purposes consistent with the Community Preservation Act;

LINDA SANDERS FOR RUTH GEORGE: I move that \$115,000 be appropriated and transferred from the Community Preservation Undesignated Fund Balance account to the Conservation Trust Fund, to be administered by the Rockport Conservation Commission to be used for purposes consistent with the Community Preservation Act.

Moved and seconded.

RUTH GEORGE: The Rockport Conservation Commission is requesting a grant of \$115,000.00 for the Conservation Trust Fund. The Rockport Conservation Committee utilizes the monies to purchase wetlands, watershed and other open space parcels for the use of the community. It is not always possible to wait and make a formal request of the CPC and the fall town meeting vote. Funds deposited in the Conservation Trust can be used for appropriate purchases with the approval of the Board of Selectmen and therefore, decisions and purchases can be made as soon as properties become available. This year with recent tax laws affecting landowners with additional properties labeled "wood lots"; there could be an increase in parcels that would benefit the town becoming available.

TOBY ARSENIAN: I'm very much in favor of purchasing additional open space for the town and I recognize that this is an expeditious and sensible way of doing it, as far as it goes. If you have to take the parcel to the town meeting for us to approve it those who might also wish to purchase it, speculators, neighbors, whoever, can move much quicker than the town meeting so there are definite advantages to the present system in place here. The hitch is that nine people, the Conservation Commission and five people additional advising, that's the Board of Selectmen over there, get to make the decision for the entire Town of Rockport. Ordinarily if we're buying or selling land we, the town meeting get to vote on it. I'm not suggesting, I've spoken about this before, that the present system is defective as far as it goes, it just needs to go further and the Board of Selectmen can and should do something about it. That is with each parcel that is purchased with this money on the votes of fourteen people, remember, in the following town meeting it should be offered to the town meeting, the purchase already effected, to approve the purchase and if the town meeting does not approve the purchase the Board of Selectmen should be obligated to bring the parcel to the next town meeting to sell. That would give the town, the townspeople the ultimate say over the purchase of property as we have in every other case and I'd asked the Board of Selectmen to comment. Why can't that be done?

SARAH WILKINSON: I know we've come into this before because Toby seems to bring this up every time. We don't feel that makes sense. The people who decide on it, you've elected us and if you don't think that the purchases we make through this are reasonable for the town then you're welcome to not re-elect us but it doesn't seem to make sense that we would purchase property and then come to town meeting and then have to sell it. It just doesn't make sense but obviously all of our meetings are open to the public and we welcome input at all of them.

MODERATOR: You've heard the motion. If you have invasive plants you could hold that up, otherwise all those in favor say aye. Opposed say no.

The motion carries.

*Fourth*, \$75,000 as a grant to Action Inc., a nonprofit corporation duly organized under the laws of Massachusetts, for its Rental/Mortgage Assistance Program for the creation of community housing for Rockport residents, under the supervision of the Board of Selectmen;

LINDA SANDERS FOR RUTH GEORGE: I move that \$75,000 be appropriated from the Community Preservation Community Housing Reserve account as a grant to Action Inc. for its Rental/Mortgage Assistance Program for the creation of community housing for Rockport residents, under the supervision of the Board of Selectmen.

Moved and seconded.

RUTH GEORGE: This will be the ninth year Action has asked for help in funding for its tenant-based rental and mortgage assistance program that serves Rockport residents. The goal is to provide rental subsidies to the renters' landlords and mortgage subsidies to the homeowner's mortgage company, and additionally to provide intensive supportive budget services and counseling to the participants. It is usually for a period of six months, but can be extended to one year in certain circumstances. The program is for Rockport individuals or families who face temporary setbacks through hardships such as sickness, job reduction or job loss or other tragedies. Participants are selected according to their financial need, their prospects for the future, and their willingness to utilize all aspects of the program. In May of this year there were seventeen clients on the program ranging from single parents, families to older individuals who were struggling. The Action TBR coordinator states: "Each family is immensely grateful to the town for the support they are receiving. Taking ownership of their difficulties, doing something about them and attempting to save for the future are their goals."

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

The motion carries.

*Fifth*, \$113,500 as a grant to the Rockport Baptist Church, under the supervision of the Board of Selectmen in conjunction with the Historical Commission, working with the Community Preservation Committee, for the historic restoration, rehabilitation, and/or preservation of the Baptist Church building;

LINDA SANDERS FOR RUTH GEORGE: I move that \$113,500 be appropriated and transferred from the Community Preservation Undesignated Fund Balance account as a grant to the Rockport Baptist Church, under the supervision of the Board of Selectmen in conjunction with the Historical Commission, working with the Community Preservation Committee, for the historic restoration, rehabilitation, and preservation of the Baptist Church building.

Moved and seconded.

RUTH GEORGE: The Baptist church is requesting this grant in the amount of \$113,500.00 from the Community Preservation Committee to install a fire protection system in the existing sanctuary. The applicant has requested monies that will be provided from Historical Preservation funds. Significant factors contributing to the Community Preservation Committee's support of this application include the following: 1) First constructed between 1822 to 1828 the original sanctuary was raised, rotated, extended and rededicated around 1867 to form the current sanctuary with additions continuing to as recently as the 1980's. The building remains a significant resource to the Mt. Pleasant-South Street Historic District. It is an excellent example of the eclectic Victorian style and a landmark in its own right. 2) The church has and continues to provide a venue for a wide variety of activities available to all the citizens of Rockport including but not limited to Rockport New Year's Eve performances, the Harvest Festival, Motif Number One Day and 5K race, and a variety of events at Harvey Park. 3) The church will enter into a deed restriction with the Town of Rockport's Historical Commission safeguarding the public's investment.

Given the reality of dwindling church memberships both in Rockport and throughout the country the ongoing preservation of historic buildings of this age, use, and size by an every shrinking economic base will soon become unmanageable. It is a real possibility that these circumstances could ultimately lead to the sale and conversion of such properties. The resulting loss to the fabric of the local historic districts and the town at large as a result cannot be quantified. Support of this application is an opportunity to ensure that the streetscapes that define our history and the appearance of Rockport are maintained for future generations of residents and visitors. The Community Preservation Committee recommends that the voting members of the town support this request.

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

The motion carries.

We move on to motion six.

*Sixth*, \$220,000 as a grant to the Rockport Unitarian Universalist Church, under the supervision of the Board of Selectmen in conjunction with the Historical Commission, working with the Community Preservation Committee, for the historic restoration, rehabilitation, and/or preservation of the Unitarian Universalist Church building steeple;

LINDA SANDERS FOR RUTH GEORGE: I move that \$220,000 be appropriated and transferred from the Community Preservation Undesignated Fund Balance account as a grant to the Rockport Unitarian Universalist Church, under the supervision of the Board of Selectmen in conjunction with the Historical Commission, working with the Community Preservation Committee, for the historic restoration, rehabilitation, and preservation of the Unitarian Universalist Church building steeple.

Moved and seconded.

RUTH GEORGE: The applicant has requested monies that will be provided from Historic Preservation funds. This work seeks to mitigate ongoing deterioration of the steeple and bell cradle of the building. Specifically the work will provide for the restoration of the structural framing, steeple and bell cradle, wood siding and trim, re-glazing existing wood windows, asphalt single roofing, metal roofing and flashing, as well as restoration of the existing paint finish on all surfaces. Significant factors contribute to the CPC's support of this application including the following: 1) Constructed in 1829 following an acrimonious lawsuit involving the First Congregational Church of Rockport. The prominent steeple and spire were added in 1868. The building is an excellent example of a vernacular adaptation of Gothic Revival architecture in the Carpenter Gothic style. The inventory form filed with the Mass Historical Commission in 1976 noted the steeple and spire were modeled after ecclesiastical designs by English architect Christopher Wren. 2) Internal capital fundraising for a comprehensive restoration project has been underway by the church for many years 3) The church has and continues to provide a venue for a wide variety of activities available to all the citizens of Rockport including but not limited to Martin Luther King Day, ceremonies, New Year's Eve Peace Services, First Night performances, and the UU thrift shop to name a few. 4) The church has entered into a deed restriction with the Town of Rockport's Historical Commission safeguarding the public's investment.

Given the reality of dwindling church memberships both in Rockport and throughout the country the ongoing preservation of historic buildings of this age, use, and size by an every shrinking economic base will soon become unmanageable. It is a real possibility that these circumstances could ultimately lead to the loss of the steeple a significant feature in the Main Street Historic District listed on the National Register of Historic Places. The resulting loss to the fabric of the local historic districts and the town at large as a result cannot be quantified. Support of this application is an opportunity to ensure that the streetscapes that define our history and the appearance of Rockport are maintained for future generations of residents and visitors.

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

The motion carries.

We move on to seventh:

*Seventh*, \$5,500 to be expended under the direction of the Director of Rockport Public Works and the DPW Commissioners in conjunction with the Harbor Advisory Committee, Harbormasters, and Granite Pier Committee, working with the Community Preservation Committee, for planning, extension, restoration, rehabilitation, and/or preservation of Granite Pier including a feasibility study concerning the possible extension of said pier to Gull Island, as originally studied and recommended in 1965 to the Town by the Army Corps of Engineers;

LINDA SANDERS FOR RUTH GEORGE: I move that \$5,500 be appropriated and transferred from the Community Preservation Open Space and Recreation Reserve account and expended under the direction of the Director of Public Works and the DPW Commissioners in conjunction with the Harbor Advisory Committee, Harbormasters, and Granite Pier Committee, working with the Community Preservation Committee, for planning, extension, restoration, rehabilitation, and/or preservation of Granite Pier including a feasibility study concerning the possible extension of said pier to Gull Island, as originally studied and recommended in 1965 to the town by the Army Corps of Engineers.

Moved and seconded.

RUTH GEORGE: The Army Corps' recommendations were not acted upon at the time in 1965 and forty-eight years later the Rockport harbor situation has become more acute. Shortages in mooring spaces has

been a chronic issue in Rockport's harbors for decades, reflected by lengths of current mooring lists, and waits of twenty years or more. This feasibility study would be under the direction of the Director of Public Works and the DPW Commissioners in conjunction with the Harbor Advisory Committee, the harbormasters and Granite Pier Committee. The DPW Board of Commissioners, the Rockport harbormasters and Granite Pier Committee support this motion. This is for funding a **study only** and the report would come back to the town to decide if they wanted to act or not on this as they did in 1965.

TOBY ARSENIAN: Thank you. This is a waste of the town's money whether or not you are in favor of extending Granite Pier to Gull Island. You should know that on July 22<sup>nd</sup> the Harbor Advisory Committee came to the Board of Selectmen and asked them to apply to the Army Corps of Engineers for a full year study of the project. That would be a much more elaborate undertaking than the \$5,500 study. For \$5,500 you're not going to get anything worth the paper it's printed on. You also should know that if the Army Corps of Engineers decides to do the study, the \$5,500 study that we're being asked to pay for is unnecessary second rate, third rate, fourth rate and if the Army Corps of Engineers decides they will not do the study this proposal is also a waste of money because if the Army Corps of Engineers is not going to do the one year study they're not going to do the project either and as Skip Montello chair of the Harbor Advisory Committee has publically stated the project, that is the extension of Granite Pier, is not going to go forward if the Town of Rockport is expected to pay for it. The Harbor Advisory Committee and the Board of Selectmen believe that money grows on trees in Washington. It's there for the plucking, if you have the proper connections and apparently we do. Well, you're all sane adults and you all know that there is no such thing as a free lunch. The money that grows on trees in Washington is your hard earned tax money and mine.

MODERATOR: If you believe you're a sane adult please raise...I'd like us to publically recognize Liam McCarthy for working so tirelessly, usually we have several microphone people and he's the only one. He's done a tremendous job. (applause)

Any other comments?

JOANN SOUZA: 12 Wharf Road – Do we know when the Army Corps of Engineers is going to give us an answer? Why would we put..throw away this money if there's another option in the wings? Is there any information regarding that?

PHILIP CROTTY: I'm Phil Crotty. I'm on the Harbor Advisory Committee and also on the CPC committee and I might say that in this regard we sort of got ahead of ourselves with the Army Corps. They came upon us faster than we expected. We had a meeting with them very recently and they've expressed an interest in going forward with this project with us and it's true it would be at no cost to the town if the Army Corps undertook it. However, the Army Corps provided a very comprehensive questionnaire to the participants at that meeting and the harbormasters and this money would go in part toward answering that questionnaire. It's a very elaborate questionnaire as I said and it's probably beyond the ability of the harbormasters to answer those questions by themselves. We will need some assistance from the Engineers which will be retained by this \$5,500 also the Army Corps would pay, if they undertook the project, up to 80 percent which leaves 20 percent left and this \$5,500 will go toward identifying where that other 20 percent can come from. We think it can come from the state. At least most of it and there are also permitting requirements that it will be up to us through this study to identify. Incidentally if it is a go the Army Corps will pay 80 percent of the project up to ten million dollars. Of course that leaves 20 percent which, we're again, hoping that the study will identify where we can find that money at the state level. Thank you.

MODERATOR: Any other questions or comments?

JUNE BOULTER: 10 Landmark Lane – Why disturb the gulls? Where are they going to go? It's a beautiful place to ride out and see nature. It's a perfect situation and I can't see spending money to disturb any of that.

KAREN TYSVER: I was at the Board of Selectmen meeting; from what I understand there would be 100 to 300 additional boat moorings if this were added. I'm not sure about Granite Pier's ability to absorb the increased traffic or the parking there and also I think ten million dollars is a bit excessive for 100 to 300 boat moorings for 100 to 300 people. Thank you.

STEPHEN OUELLETTE: 2 Gap Head Road – As a former chairman of the Harbor Advisory Committee and a member of the Rockport Harbor Planning Committee, which existed for about three years around the year 2000, the lack of moorings in Rockport harbor has been a consistent problem going back four or five decades. The harbors also lack some important infrastructure which was required under the small harbor project designation which resulted in the dredging of Rockport harbor itself and as a precondition for such things as maintenance of the Rockport harbor breakwater. For example, under that harbor, small harbor project, we're required to provide fuel in town which we do not do. The extension of Granite Pier was proposed in 1965 which really would have afforded an opportunity to both expand our mooring fields

and provide additional infrastructure on what is now town property. The question of moorings, I think it adds about seven acres of moorings to something like seventeen acres that we presently have. Traffic at Granite Pier actually would probably be reduced because we wouldn't have as many people bringing noisy trailers in every day to off load boats and boats that are presently stored there would be in the water. The precise cost has not been identified. The Army Corps, I think said, it would be approximately ten times what they estimated in 1965 which was \$450,000. The cost, yes it's expensive to build infrastructure but we have many lobstermen, commercial fishermen who do not have year 'round moorings in Rockport. That is a priority issue that has been identified over the last, at least 30 years so looking forward if we are going to maintain the maritime nature of Rockport which is the basis of its formation and foundation then this is an important, I believe it's an important priority. We have 400 people on a waiting list. I waited 20 years for my mooring. The people behind me are going to wait 30 or 40 years. I'm not actually planning on dying very soon so they may have to wait even longer for mine but we have 400 people waiting for moorings right now and I think this is probably the last time we'll ever rehash this idea. Fifty-five hundred dollars to really get the ball rolling and try to get the feds interested in doing this I think is money well spent.

AMY BEATON-RUITER: 68 High Street – I just want to make one point in this whole discussion. It's my understanding that particularly when the Army Corps of Engineers does this, we get the funding, federal funding, those moorings are not alone for Rockport residents, anybody can sign the mooring list from around the country and so you have to bear that in mind as well that yeah you're going to gain 300 moorings but they are not just for Rockport residents. Just keep that in mind.

MODERATOR: Anybody else other than Toby before we hear from Toby? All right, Toby.

TOBY ARSENIAN: Thank you. This is just the sort of proposal which if you've had the chance to read the good advice from the moderator in the booklet we are warned against something that starts on a very small scale and balloons into something enormous. The estimates for the project what it costs or might have cost in 1960 four hundred odd thousand dollars you multiply that by ten. Well that's wishful thinking and nonsense. The estimate to repair Lane's cove over in Lanesville where you have all of the granite blocks in place and its shallow water and presumably they could be dredged out of the water the estimate for that is \$6.5 million dollars so I would be deeply suspicious and indeed the proponents are cautious of their estimate, the \$4.5 million dollars, no mention of which state agency is going to pick up the rest of the cost. No one is seriously supposing that the town meeting is going to bear cost and all of this so that either 100 or 300 fortunate people can pursue their hobby with greater convenience.

MODERATOR: Thank you for attributing good advice to me Toby but that was actually the Finance Committee that gave such good advice. (TOBY: Hard to believe but thanks) laughter

RUTH GEORGE: I just want to remind you that this is for funding a study only and the report will come back to the town to decide if and when they want to do anything.

MODERATOR: All right you've heard the motion. All those in favor please say aye. Opposed say no. All right, all those in favor please raise your placard. Thank you. Opposed the same sign.

The motion carries.

We move on to eighth.

*Eighth*, \$20,000 to be expended under the direction of the Director of Rockport Public Works and the DPW Commissioners in conjunction with the Rockport Garden Club, working with the Community Preservation Committee, for the restoration, rehabilitation, and/or preservation of Front Beach and the protection of the bluff overlooking the ocean;

LINDA SANDERS FOR RUTH GEORGE: I move that \$20,000 be appropriated and transferred from the Community Preservation Open Space and Recreation Reserve account and expended under the direction of the Director of Public Works and the DPW Commissioners in conjunction with the Beautification Committee, working with the Community Preservation Committee, for the restoration, rehabilitation, and preservation of Front Beach and the protection of the bluff overlooking the ocean.

Moved and seconded.

RUTH GEORGE: The Rockport Department of Public Works in conjunction with the Rockport Beautification Committee is requesting a grant for \$20,000. for the improvement of the open space adjacent to Front Beach, left of the restrooms, by enhancing the safety, accessibility and aesthetics of the area. Improvements include removing fences and existing asphalt walkways, installing new benches and trash containers and installing salt resistant lawn in areas currently covered by some of the asphalt. This area will be clean and attractive, with minimum maintenance and will function well for residents and

visitors alike to use. They will be looking at construction of a retaining wall next to the sidewalk and installing a new flat walkway.

Beautification Committee members will help maintain the area, as they currently do for the area to the right of the restrooms. The DPW and the Beautification Committee plan to hold a public meeting to get more input from the residents of Rockport and other interest participants.

(Unknown person speaking from audience)

RUTH GEORGE: The area they're looking at is the part over across from Nate's, where it's all sloping. It's all cracked.

(Unknown person, again speaking from audience)

MODERATOR: Excuse me, let's stay in order here; wait for your time. Please continue Ruth.

RUTH GEORGE: They've already started working on the other side. They have plans to make both sides, both sides where the restrooms are on the right and the left improving all of that area. There is someone from the Beautification Committee that can explain it further.

MODERATOR: All right, the woman in the pretty hat. No? okay

SUE WALLER: 184R Granite Street – During a storm you can't walk from the major part of Front Beach to that part on the left. You have to go out on the street to be able to get around. How are you going to put a flat walkway? I don't understand. If somebody could explain it.

MODERATOR: Anyone from the Beautification Committee if not the person right behind (someone talking) okay we'll hear from you in just a moment. No, right there in the back, sir, mame? I can't see in the back.

BEAUTIFICATION MEMBER (unknown): Are you talking to me? I'm from the Beautification Committee so I can answer questions. Anyway if..Terry Duffy did a schematic drawing if anybody wants to understand where this area is. (woman talking) Basically you really have to go look at the site. It's not where the beach is. (woman interjecting)

MODERATOR: Okay, know if you want to have a private discussion, as they say, take it outside – your private discussion. Any other questions? Comments?

All right. You've heard the motion. All those in favor please say aye. Opposed say no.

The motion carries.

We move on to 9<sup>th</sup>.

*Ninth*, \$137,130 as a grant to the Rockport Art Association, under the supervision of the Board of Selectmen, working with the Community Preservation Committee, for the historic restoration, rehabilitation, and/or preservation of the Rockport Art Association Buildings and to provide handicap accessibility to them;

LINDA SANDERS FOR RUTH GEORGE: I move that \$137,130 be appropriated and transferred from the Community Preservation Undesignated Fund Balance account as a grant to the Rockport Art Association, under the supervision of the Board of Selectmen, working with the Community Preservation Committee, for the historic restoration, rehabilitation, and preservation of the Rockport Art Association buildings and to provide handicap accessibility to them.

Moved and seconded.

RUTH GEORGE: The Rockport Art Association is requesting a grant of \$137,130.00 of community preservation funds for historic preservation work associated with the creation of an accessible route and entrance to the Hibbard Building. The building is contained within the Downtown Historic District and dates from 1929. The proposed work will complete a four phase construction effort by the association to ensure the long term protection of these historically significant assets as well as the streetscape of the district. Supported only by dues, donations, gifts and grants the association continues to provide a significant venue to view over 300 pieces of fine art executed on Cape Ann over the last 125 years. In addition the association provided exhibitions, lectures, demonstrations and educational programs for the benefit of the community and the general public. For the last 27 years the association has also hosted the Rockport Chamber Music Festival.

All Phase 1 work associated with roofing work at the Maddocks and Hibbard buildings and Phase 3 work associated with electrical upgrades were funded in full by the Art Association in the amount of \$43,000.00. The association has also raised \$20,000.00 of their own funds for Phase 2 work where CPA monies were previously approved. All work will be performed in accordance with the Secretary of the Interiors Standards for the treatment of historic properties as required by the CPC Art. The association has entered into a permanent preservation restriction, commonly referred to as a deed restriction, as a condition of funding thereby guaranteeing the long term preservation of their portion of the historic district to the benefit of current and future Rockport residents.

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

The motion carries.

We are at the 10<sup>th</sup> and final motion.

*Tenth*, \$35,560 for administrative expenses of the Community Preservation Committee, including but not limited to appraisals, land surveys, copying, postage, legal notices and other costs;

LINDA SANDERS FOR RUTH GEORGE: I move that \$35,560 be appropriated and transferred from the FY15 Estimated Annual Revenues of the Community Preservation Fund to be expended for administrative expenses of the Community Preservation Committee, including but not limited to appraisals, land surveys, copying, postage, legal notices and other costs.

Moved and seconded.

RUTH GEORGE: The Community Preservation Committee does not have an expense line in the town's operating budget. Instead it covers its expenses with an appropriation from current CPC funds and all unused monies remain in the fund. This is the 5 percent, the other areas get 10 percent, the administrative fund gets 5 percent. This money includes but is not limited to appraisals, land surveys, copying, postage, legal notices and other costs such as secretarial for minute taking to transcribing minutes, etc.

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

The motion carries.

MODERATOR: Now we're back to Article L. Our town counsel has been studying precedent back to the Magna Carta and he will now advise the meeting.

DARREN KLEIN: The last procedural issue is on the original motion that carried. There was a motion to call the question, which did pass. The motion to call the question still is in place. So that means that the motion to reconsider is not debatable. So if there's a motion and if there's a second it will immediately go to a vote. If it does not receive a two-thirds vote than the reconsideration fails, if it does receive a two-thirds vote then it will go to the main motion again. Long and short of it is there is not debate because the motion to call the question, which passed, is still in effect.

MODERATOR: And remember to vote you have to have your orange placard, your orange placard. Is there a motion to reconsider? Please make your motion.

(Cannot hear motion, it was made without a microphone)

MODERATOR: All those in favor of reconsidering. Did I hear a second? Yes it was seconded and there's no debate, no discussion. All those in favor of reconsideration Article L please raise your placard. Okay thank you. All those opposed the same sign.

The motion fails.

Applause.

MODERATOR: Madame Clerk any other business this meeting must tend to? Motion to dissolve the meeting. Moved and seconded. All those in favor – shouts of aye; all those opposed. Thank you very much for sticking it out. Enjoy your evening.

The Special Fall Town Meeting dissolved at 10:37PM.