



# TOWN OF ROCKPORT

# TOWN MEETING VOTERS BOOKLET

FALL TOWN MEETING SEPTEMBER 14, 2015

*This booklet is an aid to Town Meeting voters and incorporates the Warrants, Motions, Finance Committee Report, and other reports and handouts.*

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# TOWN MEETING VOTERS BOOKLET

## Town Meetings

The Town of Rockport has an Open Town Meeting form of government meaning that any registered voter may vote at Town Meeting and directly participate in the governance of the Town. Open town meeting has been the basic form of local government in New England for hundreds of years. This is a form of pure democracy where citizens directly administer the affairs of their Town rather than through representatives. Registered voters are invited to assemble as citizen-legislators and participate in the future of the Town by enacting By-Laws and voting on matters put before them. All registered voters can vote in town meetings while non-registered visitors may attend, but may not vote. Visitors are seated in a separate section to make counting votes easier.

Following is a general overview of key terms, roles, the voting process and general rules of order for Town Meetings.

### TERMS

For those who may be unfamiliar with the special language of Town Meetings and Municipal Finance, the following may be helpful.

- **Abatements:** A reduction or elimination of a levy imposed by a governmental unit, applicable to tax levies, motor vehicle excise, fees, charges and special assessments.
- **Appropriation:** Town Meeting authorization to expend a certain amount of money for a specific purpose.
- **Article:** The topic to be considered at Town Meeting for which a motion is made to enable a vote to be taken on said topic.
- **Assessors' Overlay:** An account established annually to fund anticipated property tax abatements and exemptions in that year. Any surplus at year end, after being certified and released by the Assessors may be appropriated for another purpose.
- **Assessment:** The Board of Assessors' judgment of the value of your property.
- **Available Funds:** These are funds established through previous appropriations or results of favorable conditions. These may be appropriated to meet emergency or unforeseen expenses, large one-time expenses or capital expenditures. This term is also sometimes used as a placeholder on warrant articles before exact amounts are determined for the motions.
- **Betterments:** A special property tax assessed on each parcel receiving benefit from a public improvement such as water, sewer or sidewalks to reimburse the Town for all or part of the costs incurred.
- **Budget:** A financial plan for a given period of time embodying, both, estimates of proposed expenditures and proposed means of financing them. The Town has two budgets: one for operations and one for capital purchases and projects.
- **Capital Budget:** Appropriations for tangible assets or projects that cost at least \$10,000 and have a useful life of at least three years. The Town votes most capital purchases and projects in Article 6 of the Annual Town Meeting.

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- **Chapter 70:** The Chapter of the State law that governs the funding of schools. It is also the common name for the largest part of state funding to schools.
- **Chapter 90:** The Chapter of the State law that governs the funding of roads and highway improvements. It is also the common name for the largest part of state funding to highways.
- **Cherry Sheets:** State aid to the Town so called because they were once printed on cherry red paper.
- **Choice:** Also known as School Choice is money that flows into the school district from the state when the system accepts students from outside the district.
- **Debt Exclusion:** This overrides Proposition 2½ and allows a community to assess taxes in excess of its levy limit for the payment of specified debt service costs. See Override.
- **Debt Service:** The principal and interest payments on borrowing. Long term debt is the issuance of municipal bonds to pay for large capital purchases or projects. Short term borrowing costs are interest-only for purchases not yet bonded and for cash flow management.
- **Direct and Indirect Costs:** Direct costs are expenses such as salaries, contracted work, fuel, materials and supplies used in providing a service and running a Town department. Indirect costs are other expenses in the Operating Budget such as health insurance premiums, pension contributions and debt service.
- **Enterprise Fund:** A fund separate from the Town's General Fund established to record all the direct and indirect costs of providing a specific service, allowing the Town to recover the cost of the service through user fees. Rockport has two enterprise funds at present for water and sewer.
- **Excess Levy Capacity:** The difference between a community's maximum tax levy limit and the amount it actually levies in property taxes.
- **Exclusion:** An item that the Town Meeting and voters agree to fund outside the limits of Proposition 2½.
- **Fiscal Year:** The Commonwealth and municipalities operate on a fiscal year which begins on July 1<sup>st</sup> and ends on June 30<sup>th</sup>. The number of the fiscal year is that of the calendar year in which the fiscal year ends.
- **Fixed Costs:** Expenses which involve a mandate or contractual obligation and therefore cannot be cut in the budget process such as long term debt service and state assessments.
- **Free Cash:** Funds remaining from the operations of a previous fiscal year which may be appropriated after they have been certified by the Massachusetts Department of Revenue. These include unspent appropriations and revenue collected in excess of estimates.
- **General Fund:** The town's checking account. The General Fund can be expended only for the items approved by Town Meeting.
- **Hold:** The request to delay consideration of one part of a multi-part article. Any item that a Town Meeting member questions is marked as a hold and will be discussed after the unquestioned items have been voted.
- **Levy:** The property tax levy is the revenue a community can raise through real and personal property taxes.

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- **Levy Limit:** The maximum amount a community can levy in a given year. The limit can grow each year by 2½% of the prior year's levy limit plus new growth and any overrides.
- **Local Receipts:** Revenue, other than property tax, raised and collected by the Town such as water and sewer fees, car and boat excise taxes trash fees, fines and interest.
- **Motion:** The specific statement to be voted within the scope of the article as printed in the Warrant.
- **New Growth:** The taxing capacity added by new construction and other increases in the property tax base. New growth is calculated by multiplying the value associated with new construction by the tax rate of the previous fiscal year.
- **OPEB:** Stands for Other Post-Employment Benefits, primarily health care premiums, that the Town is responsible for paying for its eligible retired employees.
- **Operating Budget:** The budget for routine, recurring expenses during the fiscal year starting on July 1 through June 30, which includes all labor and expenses.
- **Overlay:** The overlay is the amount raised by the Assessors independently of Town Meeting as permitted by law for the purpose of creating a fund to cover property tax abatements and avoid fractions in the tax rate.
- **Override:** Proposition 2½ allows a community to assess taxes in excess of the automatic annual 2½% increase and any increase due to new growth by passing an override. There are essentially three types of overrides: 1) a capital purchase, also known as a capital outlay expenditure exclusion which overrides Proposition 2½ only for the purchase; 2) a debt exclusion which overrides Proposition 2½ only for the term of the debt repayment; and 3) an operational override that overrides Proposition 2½ permanently.
- **Pension:** Sometimes referred to as Retirement wherein an employer makes contributions toward a pool of funds set aside for an employee's future income after they retire and are no longer earning a salary or wages.
- **Petition Article:** A petition article is an article brought to Town Meeting for discussion and possible action by a citizen, rather than by a Board or Committee of the Town. Any person or group can bring a petition article on any topic that is relevant to action by Rockport Town government. In the past there have been petition articles dealing with zoning and social justice resolutions.
- **Proposition 2½:** Proposition 2½ is a state law that places a ceiling on the total amount of taxes that a Town can raise and it also limits the percentage by which a town's tax revenues can increase from year to year. It provides towns with annual increases in total tax revenue of 2½% apart from the additional tax revenue that can be raised because of the construction of new homes and additions to buildings known as "New Growth". Proposition 2½ has no relevance as far as tax increases on individual properties are concerned. It relates only to the total amount of taxes raised by a town.
- **Raise and Appropriate:** Town Meeting authorization to expend a certain amount of money for a specific purpose by raising that amount of taxes to pay for the expenditure.

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- **Reserve Fund:** The fund established by the voters at Annual Town Meeting for extraordinary or unforeseen expenditures. Transfers from the Reserve Fund require the approval of the Finance Committee.
- **School Choice:** The Massachusetts school choice law (G.L. Chapter 76, Section 12B) allows parents to send their children to public schools in communities other than the one in which they reside, provided there is room in the receiving school district. Chapter 70 state aid for education is given to the school where the child is enrolled, not the school in the town where he/she lives.
- **Sewer Enterprise:** The sewer enterprise has a separate operating budget which can be found in Article 5B and a separate capital outlay plan which can be found in Article 6B.
- **Stabilization Fund:** A general or special purpose savings account deposited into or withdrawn from at Town Meetings with a 2/3 vote.
- **Structural Deficit:** An ongoing budget problem which occurs when annual expenditures exceed annual revenue. Even when budgets are balanced through drawing down reserves and using other non-recurring funding sources, the problem occurs in subsequent years unless expenditures are cut or new revenue is raised.
- **Tax Rate:** The calculated ratio of the total assessed value of properties to be paid as tax, based on the total amount of taxes required to be levied to pay for the obligations and expenses of a municipality in a given year. The specific tax rate is expressed in terms of a unit of the tax base. For example \$11.27 per \$1,000 of assessed valuation of a taxable property.
- **Transfers:** A budgeted item may be funded by decreasing the budget for another department or by moving money from one fund to another such as taking money from the Ambulance Fund and putting it in the General Fund to cover the operating budget for the Ambulance Department. Both types of transfers require a vote of Town Meeting.
- **Warrant:** The agenda for the meeting that lists the topics so called because it gives all registered voters warning of what to expect at the meeting.
- **Water Enterprise:** The water enterprise has a separate operating budget which can be found in Article 5A and a separate capital outlay plan which can be found in Article 6A.

## YOUR TAX BILL

Many citizens ask how they are taxed or charged, not merely what the terms mean. The following describes how real estate taxes and water/sewer rates are derived.

There are several factors that that go into the determination of your real estate tax bill:

1. The amount of spending in the operating departments;
2. Plus the retiree pension and health insurance payments;
3. Plus debt service;
4. Less the amount of local revenue; and
5. Less the amount of state aid.

The result is the amount of the real estate tax levy. Under Proposition 2½, this levy is limited to:

1. Last year's levy limit plus 2½% growth;

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2. Plus additions to the levy known as “new growth” which is generated when a house is new or significantly renovated causing an increase in assessed value and, thereby, creating an increase in the tax base; and
3. Plus any Proposition 2½% overrides previously approved by the voters.

Once the year’s levy is established, the tax rate is determined by dividing the levy by the total assessed value of the Town’s taxpayers’ real estate. Therefore, the change in the tax rate is determined by both the change in the levy and the change in the total assessed valuation. The resulting tax for your property is the product of its assessed value and the tax rate. In any year, the change in your property’s assessment may differ from that of the average property in town. If so, the percent change in your tax bill will differ from that of the average property in town.

There are also several factors that go into the determination of your water and sewer bill:

1. The total costs required to operate the water and/or sewer operations which include the treatment plants, the water distribution system, the sewer pump stations and collection systems;
2. Less the amount of enterprise revenues received from other sources such as water and sewer permits and fees for water turnoff services; and
3. The remaining costs are divided by the total estimated amount in terms of thousands of gallons of water and/or sewer usage in the Town.

This calculation results in the water and sewer rate at a cost per thousand of gallons of water and/or sewer used. For instance, if a year’s operating costs are \$2,000,000 less fee revenues of \$100,000 (\$1,900,000) divided by 160 million gallons, the resulting rate would be \$11.87 per thousand gallons.

## ROLES

Any town meeting requires, at a minimum, a Moderator and a Town Clerk. There are a few other key players who provide support to the Moderator, the Town Clerk and the Voters at the meeting.

- **Board of Selectmen:** A five-member executive board, each elected for a three-year term, they are responsible for setting the time and place of town meetings as well as placing articles on the warrant to be considered and voted upon. This Board acts of the Town’s behalf on various matters between Town Meetings as well.
- **Finance Committee:** A nine-member advisory committee appointed by the Board of Selectmen, this committee’s primary responsibility is to make recommendations to Town Meeting on all financial matters, including the annual operating budget, capital projects, borrowing, and funding sources. The Finance Committee advises and reports to the voters at Town Meeting.
- **Moderator:** The presiding officer at all Town Meetings is the Moderator. According to State law, the Moderator’s primary responsibility is to “preside and regulate the proceedings, decide all questions of order, and make public declaration of all votes”.
- **Planning Board:** State law requires this Board to make plans for the development of the Town and also to provide the Board of Selectmen with a report and recommendations.

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- **Town Administrator:** The chief administrative officer of the Town, this person supervises and directs the administration of all departments, boards and offices that are subject to the appointment of the Board of Selectmen.
- **Town Clerk:** Elected for a three-year term, the Town Clerk is responsible for distributing the Warrant, keeping a tally of the votes, and producing the official record of Town Meeting.
- **Town Counsel:** Appointed by the Board of Selectmen, Town Counsel is responsible for providing legal opinions and advises the Moderator as needed.

## VOTING

The voting process begins with a notice or warning made public and available to the registered voters in the form of a Warrant. The Warrant is the agenda for the meeting and consists of a number of Articles, each describing some general subject to be discussed. State law provides that it is to be assembled by the Board of Selectmen and posted by the Constable at least seven days before the Annual Town Meeting and fourteen days before a Special Town Meeting. A copy of the Warrant is also available on the Town's website at [www.townofrockport.com](http://www.townofrockport.com). Those wishing to access this Voter Booklet and documents filed with the Town Clerk on their mobile devices may do so by accessing the school wireless network. Access directions will be provided at the start of the meeting. Items on the Warrant to be considered by the voters at Town Meeting are called Articles and may be proposed by Town boards, committees or by citizen's petition.

An Article on the Warrant is not by itself a self-starting "motion", but only defines the scope of the Main Motions to be addressed, debated, and voted. Votes are never made on Articles, only on specific Motions to take actions based on items described in the Articles. Sometimes a motion will be ruled by the Moderator to be within or outside of the "Four Corners" of the Article which determines how broad a motion can be and the range of what one can say. Any voter present may move any article on the Warrant.

There may also be a Motion to Amend which is an example of a Subsidiary Motion because it addresses the Main Motion. Another Subsidiary Motion is to Move the Question. The exact term is to Move the Previous Question and means the speaker has heard enough and wants to stop debating the topic. He or she cannot interrupt a speaker, there must be a second, and if two-thirds of the body agrees, the debate stops immediately and a vote on the motion is taken.

There is another type of motion called Incidental – a civil way to say somebody has a question about the conduct of the meeting such as a person is speaking without the permission of the Moderator or the topic is frivolous. Technically, it is not a motion so there is no need for a second or debate and someone can interrupt the speaker with this action. The Moderator will decide the point without debate.

Addressing the Meeting is when someone wishes to speak and approaches the microphone on the floor and must wait to be recognized by the Moderator. Speakers then state their names and addresses and say what they have to say on the topic. A speaker may continue, up to the time allowed as long as he or she speaks directly to the Article under discussion. Any comments and questions are

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to be addressed to the Moderator. Speakers who address anyone else directly are out of order which the Moderator is responsible for keeping.

At times there may be a request to recount the vote after the Moderator declares the results of a voice vote. This will lead to a vote by show of hands or standing to resolve the outcome of the vote.

Each voting Citizen has a responsibility to understand what the Article and its Motion is asking them to approve before voting. The Finance Committee has developed the following checklist to help voters consider money-related as well as other types of requests:

1. **Is it necessary?** Or is it something that is not really needed or perhaps already being provided by a private or public group?
2. **Can we afford it?** Remember, there is no limit to what we would like, but there is a limit to what we can afford.
3. **What will it ultimately cost?** Many proposals are like icebergs – only a small fraction of the total cost is apparent on the surface.
4. **How will it affect basic liberties?** If it imposes unreasonable or illegal restraints on your life or that of others, it should be vigorously opposed.
5. **Is it in the balanced best interest of all?** If it is designed to benefit a small group of special interests while taking advantage of others, work for its defeat.
6. **Is it a “Foot in the Door” proposition?** Compromising a little now may bring an oppressive burden later, either in more regulations or more taxes or a combination of both.
7. **Does it place too much power in the hands of one individual or group?** Once the decisive power is granted to a non-elected public official or a commission as a municipal authority, the private citizen loses effective control.
8. **Is its appeal based on emotional propaganda or facts?** The further a proposition gets away from facts, the more critical one should be.

## RULES OF ORDER

This section is from the Town Moderator who is responsible for maintaining order at town meetings. Rockport’s Town Meetings are conducted in accordance with Massachusetts General Laws and Chapter 2 of our Code of By-Laws.

A few points of parliamentary procedure applicable to town meetings are outlined below:

- The subject of discussion will always be a pending motion, not a warrant article. A warrant article provides notice to the town meeting that a subject matter may be considered. It is not a proposal for action. A motion is a proposal for action by the town meeting and every motion must be within the scope of an article in the warrant.
- With respect to each warrant article, the Moderator will first recognize a proponent to offer a motion and, after the motion is seconded, to state the reasons for that motion.
- Next the Moderator will recognize a member of an advisory committee to state the committee’s recommendation and its reasons for that recommendation. Rockport has town advisory committees:

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1. The Finance Committee is primarily concerned with warrant articles which involve expenditure of Town funds.
  2. The Town Government and By-law Committee makes recommendations on warrant articles which involve changes in the Code of By-laws or in the Town's charter.
  3. Although not an advisory committee, the Planning Board acts as one at Town Meeting and advises the Voters on zoning articles.
- If you wish to speak, first you must get the attention of the Moderator. Raising your hand should do it and holding the Voter Card that is provided to you at the beginning of the meeting in your hand makes it more noticeable. If raising your hand does not work, try standing and/or call out "Mr. Moderator".
  - When you have been recognized by the Moderator, either wait for a portable microphone to come to you (perhaps by standing you will be easier to find) or go to any floor microphone.
  - After you have a microphone, first state your name and address. Remember to address all remarks to the Moderator, not to others in the meeting, and to ask all questions through the Moderator.
  - The Moderator gives preference to people who have not yet spoken on an issue before calling on someone for a second or third time. See Code of by-laws c.2, §4.3.
  - The Code of By-laws c.2, §4.f establishes time limits for speakers: 10 minutes for the principal proponent of a main motion and 5 minutes for everyone else.
  - When the Moderator senses that the meeting is ready to vote, he will state the question. That is a warning that debate is ending as well as a reminder of the motion on which the meeting will be voting. If you have doubt about the exact issue or a question about procedure, please ask then. Once the voting has begun, any discussion will be out of order.
  - A motion to reconsider requires a two-thirds vote. Also, any person intending to move for reconsideration must give notice of that intent to the Moderator within thirty minutes after the vote reconsideration of which is sought. See Code of by-laws c.2, §4.i.

The following is an excerpt from the Rockport Code of By-laws, Chapter 2. Town Meetings, Section 4. Rules of Procedure

- a. **In General.** The proceedings of Town Meetings shall be governed by the rules of parliamentary procedure contained in Robert's Rules of Order, as the same may be revised from time to time, so far as they may be adapted to Town Meetings, unless another provision is made by statute or by these by-laws.
- b. **Quorum.** For any session, including any adjourned session of a meeting convened on a date specified in Section 2.b, the quorum shall be those persons present. For any other Town Meeting 150 voters shall constitute a quorum, but a lesser number may vote to adjourn.
- c. **Order of Action.**
  - (i) Other than the first six (6) articles of the Annual Town Meeting, which shall be acted upon in order of their arrangement in the warrant, the order of action upon articles in the warrant shall be determined by lottery conducted by the Town Clerk in such a manner to

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insure that, at all times, the meeting knows which article will follow the one on the floor. The Moderator may rule that certain warrant articles are related, in which event all related articles shall come on for action when the first of them is drawn.

(ii) Any person intending to move the adoption of a resolution not under any article shall give notice of any such proposed resolution to the Moderator prior to the opening of the meeting or as soon thereafter as practicable. The Moderator shall then announce to the Town Meeting the substance of the proposed resolution and shall further announce that the proposed resolution shall be considered immediately after all business under the warrant articles has been concluded.

(iii) The meeting may, by four-fifths vote, exempt any warrant article from the lottery and schedule it for action at any time certain or accelerate the time for consideration of any proposed resolution. The meeting may, by majority vote, postpone action under any warrant article to a time certain.

(iv) Each main motion pursuant to an article in the warrant must be phrased so that an affirmative (yes) vote indicates approval of the subject matter of the article and a negative (no) vote indicates disapproval of such subject matter. The use of "to postpone indefinitely" as a main motion is prohibited.

- d. **Participation in Debate.** With respect to each article in the warrant, the Moderator shall first recognize the sponsor to offer a main motion. No person, except a legal voter of the Town, shall be permitted to take part in a Town Meeting except by permission of the Moderator.
- e. **Addressing the Meeting; literature.** No person shall address the meeting unless recognized by the Moderator, nor speak more than once on the same subject to the exclusion of any other person who desires to speak. Nor shall any literature other than copies of the warrant and official reports thereon be distributed in the building within which the meeting is held or within 150 feet thereof, except that literature (clearly identified as to its proponent or source) may, with the prior approval of the Moderator, be left on tables near the entrance for voters to pick up when entering the hall.
- f. **Limitation of Individual Speakers.** Unless granted an extension of time by vote of the meeting, the individual speaking as the principal proponent of a main motion shall not speak for more than ten minutes. Subsequently, any person speaking on any motion shall not speak for more than five minutes unless granted an extension of time by the meeting.
- g. **Division of Questions.** If a motion is susceptible of division, it shall be divided and question put separately upon each part thereof if ten voters so request, or the Moderator, in his discretion, so directs.
- h. **Standing Vote.**
  - (i) On matters requiring a majority or two-thirds vote, the vote need not be counted or recorded. However, if the vote declared by the chair is immediately doubted or a

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division of the house is called for, or if a four-fifths or nine-tenths vote is required by statute and the vote is not unanimous, a standing vote shall be ordered.

(ii) Before a standing vote, the Moderator shall request all persons in the house to be seated and may appoint tellers. The question shall then be distinctly stated, and those voting in the affirmative and negative, respectively, shall rise and stand in their places until they are counted by the Moderator or tellers. No person shall be counted who does not comply with the request to occupy a seat.

(iii) Upon request of twenty voters, the vote on any question shall be taken by written ballot. The request for vote by ballot may be made at any time prior to the vote being taken on any question. The form of the ballot used and the method of issuing, collecting and counting such ballots shall be as determined by the Moderator. It shall be the duty of the Town Clerk to have available at every Town Meeting a sufficient supply of such ballots.

- i. **Reconsideration.** A motion to reconsider a matter previously acted upon shall require an affirmative vote of two-thirds (2/3) of those present and voting. Any person intending to move for reconsideration shall give notice of such intent to the Moderator promptly and in no event, except by unanimous consent, more than thirty (30) minutes after the vote reconsideration of which is sought, regardless of whether or not the meeting is then in session. The Moderator shall, as soon as is practicable, inform the Town Meeting as to when the motion for reconsideration will be presented. All motions for reconsideration shall be presented before any new warrant article is taken up for action at the beginning of the next succeeding session of Town Meeting unless action on all other warrant articles is completed prior to the end of the session during which such notice is given, in which case motions for reconsideration shall be presented immediately after all other business, except for resolutions not under a warrant article, has been concluded.
- j. **Motion to Dissolve Meeting.** No motion the effect of which would be to dissolve the meeting shall be in order until every article in the warrant has come to the floor and there has been a reasonable opportunity for a motion in accordance with Section 4.c(iv) pursuant to every article. This section shall not preclude the postponement of consideration of any article by adjournment of the meeting to a stated time.

## Report of the Finance Committee

Fall Town Meeting is an opportunity for the Finance Committee, Selectmen and the Town Administrator to examine the budget that was passed in April. We are now more than two months into the 2016 fiscal year, and we have a keener analysis on many expenses and revenues.

Article B adjusts the expenditures by transferring funds from accounts that were overfunded in April to those that were underfunded. These transfers have no effect on total spending or the tax rate. Therefore we expect that our tax rate will continue to be about \$30,000 below the Proposition 2½ levy limit as projected in April.

Articles C, D and E are recommended appropriations of Community Preservation Act monies. These do not directly affect the tax rate, but are funded from the CPA surcharges and matching grants from the state.

Article F refunds the unused amount provided by the CPC to the Watershed Protection Account originally approved at the 2008 Fall Town Meeting.

Article G appropriates additional funds to the Parking Meter Department for credit card fees related to the new meters. This will be funded from the Parking Meter Fund where increased rates are more than sufficient to cover the fees.

Articles H through O request appropriations for capital projects. In all cases the additional spending for these projects will come from transfers of unused funds previously approved at various Town Meetings. Although Article O requests authorization for additional borrowing, the actual debt will not increase. Therefore, there is no effect on Town finances. These are as follows:

- H      \$33,657 for School Carpet Replacements using funds from the Stairway Tread project.
- I      \$42,000 for roof replacement and brick wall repairs of the Harbormaster/bathroom building on T-Wharf.
- J      \$20,000 for repairs to the Library building exterior walls to stop leaks using funds from the Old Police Station Roof Repair Project.

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- M \$10,000 for ventilation improvements at the DPW garage to eliminate furnace fumes from entering the workplace using funds from the Library sewer pipe replacement project.
- N \$75,000 for additional Sewer Lining funds from the Infiltration & Inflow Reserve fee account.
- O \$150,000 authorization to borrow for the Back Beach Revetment repair and mitigation to strengthen.

Article P requests authorization to grant a temporary construction easement and a permanent access easement to the MBTA for its power distribution duct at the MBTA station.

Article Q is a proposal by the Planning Board to amend the Zoning By-Laws in an effort to control the size and density of residential housing in the Town.

In conjunction with the Town Administrator, members of the Finance Committee are embarking on a study of our revenues and expenses. During this effort, we will identify the effects of potential expenditures that the Town may make and savings it may be able to achieve in future fiscal years in order to sustain the operating budget.

The Finance Committee works directly for you, the Town's voters. The Town's staff, its volunteers and we have worked very hard to produce this year's budget and adjustments necessary for the Town's business to run smoothly. At the same time, keeping the tax rate as low as possible is extremely important. We hope this report along with the voters' booklet will provide you with the information you need to make informed decisions.

*Laurene Wessel, Chairman*

*Beth Dailey*

*June Michaels*

*William Wagner, Vice Chairman*

*Walter Hess*

*Melissa Tingley*

*Ian Crown*

*Mike Hughes*

# TOWN MEETING VOTERS BOOKLET

## Fall Town Meeting – September 14, 2015

### FALL TOWN MEETING WARRANT

**TOWN OF ROCKPORT**  
**WARRANT FOR**  
**FALL TOWN MEETING**  
Monday, September 14, 2015  
The Commonwealth of Massachusetts

Essex, ss.

To: One of the Constables of the Town of Rockport, Massachusetts in said County of Essex in the Commonwealth of Massachusetts.

**GREETINGS:** In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of said Town qualified to vote in Town affairs to meet and assemble at the Rockport High School at 24 Jerden's Lane in said Rockport on Monday, the fourteenth day of September, 2015 A.D., at 7:00 o'clock in the evening, then and there to act on the following articles, to wit:

**ARTICLE A.** 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)*

**ARTICLE B.** 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 4, 2015 Annual Town Meeting or to reduce appropriations made thereunder; or act on anything relative thereto. *(majority vote)*

**ARTICLE C.** 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)*

**ARTICLE D.** 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 FY2016

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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;

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

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

or act on anything relative thereto. (*Community Preservation Committee majority votes*)

## ARTICLE E.

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*, \$25,000 to be expended under the oversight of the Department of Public Works and the Granite Pier Committee, working with the Community Preservation Committee, for preparation of professional engineering or architectural plans incident to a study of the feasibility to build a staircase for access between the upper and lower levels of Granite Pier and;

*Second*, \$30,000 to be expended under the direction of the Director of Public Works working with the Community Preservation Committee, for the replacement, restoration, rehabilitation, and/or preservation of exterior painting of the Community House;

*Third*, \$50,000 to be expended under the direction of the Thacher and Straitsmouth Islands Committee working with the Community Preservation Committee, for the replacement, restoration, rehabilitation, and/or preservation of the Straitsmouth Island Keepers House;

*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;

# TOWN MEETING VOTERS BOOKLET

*Fifth*, \$132,046 as a grant to the Rockport Congregational Church, under the supervision of the Board of Selectmen working with the Community Preservation Committee, for the historic restoration, rehabilitation, and/or preservation of the Congregational Church building steeple;

*Sixth*, \$38,525 to be expended under the direction of the Superintendent of Schools working with the Community Preservation Committee, for restoration, rehabilitation, and/or preservation of the Elementary School Outdoor Basketball Courts;

*Seventh*, \$26,950 for administrative expenses of the Community Preservation Committee from July 1, 2015 through June 30, 2016, including but not limited to appraisals, land surveys, copying, postage, legal notices and other costs;

or act on anything relative thereto. (*Community Preservation Committee*) (*majority votes*)

ARTICLE F. To see if the Town will vote to appropriate by transfer the sum of \$95,000 from the Watershed Protection account back to the Community Preservation Committee's Open Space Reserve account to return the unused balance to the CPC that was originally appropriated under Article D, *Third* of the September 8, 2008 Fall Town Meeting; or act on anything relative thereto. (*Community Preservation Committee*) (*majority vote*)

ARTICLE G. To see if the Town will vote to raise and appropriate or appropriate by transfer from the Parking Meter Fund to the Meter Maintenance account, the sum of \$10,655 to pay for the annual hosting and credit card processing fees; or act on anything relative thereto. (*Traffic and Parking*) (*majority vote*)

ARTICLE H. To see if the Town will vote to appropriate the unexpended funds initially borrowed to finance capital School Treads, Landings, and Ramps project that is now complete, and for which no further liability remains, the unexpended balance of \$33,657 from Article 6 of the April 6, 2013 Annual Town Meeting, to a School Carpeting Replacement Capital account to pay costs of replacing carpeting in the schools; or act on anything relative thereto. (*Educational Services Department*) (*majority vote*)

ARTICLE I. To see if the Town will vote to raise and appropriate, appropriate by transfer from available funds, or borrow a sum of

# TOWN MEETING VOTERS BOOKLET

money to make emergency repairs to the Harbormaster and Public Restroom facility at 3 T-Wharf; and if such funds are borrowed, to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow said funds under G.L. Chapter 44, Section 7 or any other enabling authority; or act on anything relative thereto. *(Department of Public Works) (majority vote, 2/3, if borrowed)*

ARTICLE J. To see if the Town will vote to raise and appropriate, appropriate by transfer from available funds, or borrow a sum of money to make necessary repairs to the Library Building to stop leaks; and if such funds are borrowed, to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow said funds under G.L. Chapter 44, Section 7 or any other enabling authority; or act on anything relative thereto. *(Department of Public Works) (majority vote, 2/3, if borrowed)*

ARTICLE K. To see if the Town will vote to raise and appropriate, appropriate by transfer from available funds, or borrow a sum of money to purchase a Sidewalk Tractor and Attachments for snow removal; and if such funds are borrowed, to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow said funds under G.L. Chapter 44, Section 7 or any other enabling authority; or act on anything relative thereto. *(Department of Public Works) (majority vote, 2/3, if borrowed)*

ARTICLE L. To see if the Town will vote to raise and appropriate, appropriate by transfer from available funds, or borrow a sum of money to purchase a DPW Sanding and Plow Truck for snow removal; and if such funds are borrowed, to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow said funds under G.L. Chapter 44, Section 7 or any other enabling authority; or act on anything relative thereto. *(Department of Public Works) (majority vote, 2/3, if borrowed)*

ARTICLE M. To see if the Town will vote to raise and appropriate, appropriate by transfer from available funds, or borrow a sum of money to pay for the cost of improvements to the Highway Garage ventilation system; and if such funds are borrowed, to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow said funds under G.L. Chapter 44, Section 7 or any other enabling authority; or act on anything relative thereto. *(Department of Public Works) (majority vote, 2/3, if borrowed)*

# TOWN MEETING VOTERS BOOKLET

ARTICLE N. To see if the Town will vote to appropriate by transfer a sum of money from the Infiltration & Inflow Reserve Fees to the Sewer Lining & Repairs capital account for additional funding for the Sewer Lining & Repairs Project. *(Department of Public Works) (majority vote)*

ARTICLE O. To see if the Town will vote to raise and appropriate, appropriate by transfer from available funds, or borrow a sum of money to make necessary repairs to the Back Beach Revetment; and if such funds are borrowed, to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow said funds under G.L. Chapter 44, Section 7 or any other enabling authority; or act on anything relative thereto. *(Department of Public Works) (majority vote, 2/3, if borrowed)*

ARTICLE P. To see if the Town will vote to authorize the Board of Selectmen to grant, on behalf of the Town, on such terms and conditions and for such duration as the Selectmen deem appropriate, permanent access and electric easements and temporary construction easements in, on, and under portions of the Town-owned parcels of land shown on Assessors Map 11 as Parcels 21B and 22 and described in deeds recorded with the Essex South District Registry of Deeds in Book 4955, Page 42 and Book 2997, Page 268, which portions are shown more particularly on a plan entitled “Rockport Layover Facility Power Upgrade Contract No. J62CN01” prepared by Nitsch Engineering, dated June 30, 2015, and a plan entitled “Rockport Layover Facility Power Upgrade Contract No. W9CNXX” prepared by Nitsch Engineering, dated June 19, 2015, which plans are on file with the Town Clerk, said easements to be granted to the Massachusetts Bay Transportation Authority for the aforesaid purposes, including, without limitation, the construction and maintenance of a power distribution duct bank, conduits and appurtenances, and reconstruction of a parking lot; or act on anything relative thereto. *(Department of Public Works) (majority vote)*

ARTICLE Q. To see if the Town will vote to amend the Zoning By-Laws by adding the following new section under the existing Section IV, Area and Dimensions Regulations, to be designated as Section IV. A. 11:

“11. RESIDENTIAL DWELLINGS

- a. Objective: To control the effect of increasing scale and density of residential dwellings in Rockport’s neighborhoods.

# TOWN MEETING VOTERS BOOKLET

- b. Applicability: SR-AA (Single Residential AA), SR (Single Residential), RA (Residential A), and R (Residential) Zoning Districts.
- c. Floor Area and Side Setbacks:
  - 1) On a lot of 2 acres or less, the total gross floor area of all residential dwellings and accessory buildings on the lot shall not exceed 7,000 sq. ft. total gross floor area (GFA).
  - 2) The total GFA of residential dwellings (including accessory buildings) on a lot of two acres or less shall not exceed 175% of the mean GFA of the residential dwellings and accessory buildings on the abutting properties. “Abutting properties” shall mean, for the purposes of this section, only those properties whose owners would be entitled to notice as “parties in interest” under M.G.L. Chapter 40A, Section 11 and are within 50 feet of the subject property boundary.
  - 3) Residential single, two family and multiples dwellings, accessory buildings, and townhouses shall have the following side setbacks:
    - i. 20 ft. – for buildings with 4000 – 5999 sq. ft. GFA
    - ii. 25 ft. – for buildings with greater than 6000 sq. ft. GFA

## Notes:

- a) For purposes of Section IV.A.11, basement space shall be excluded from the computation of GFA.
- b) Garages and out-buildings (non-living space) added by special permit if total or gross area of all structures exceeds 7000 sq. ft. “Non-living space” shall be defined as space in garages and out-buildings used or intended for storage of vehicles, lawnmowers, boats, motors, snowmobiles, and accessory equipment. Space in attics having a height of 7 feet or greater is defined as “living space” whether or not it is currently being used as living space and is considered a part of GFA.
- c) Parcels with adequate area for a secondary dwelling as defined under Section III.B.1., E will be exempt from the 175% limitation on GFA when applying for the construction of a secondary dwelling.” *(Planning Board) (2/3 vote)*

# TOWN MEETING VOTERS BOOKLET

And you are directed to serve this Warrant by posting attested copies of the same at each of the Post Offices, the Town Bulletin Board and in other public places in each village of the Town, fourteen days at least before the day of the holding of said FALL TOWN MEETING.

Hereof fail not and make due return of this Warrant, with your doings thereon to the Town Clerk, three days at least before Monday, September 14, 2015.

Given under our hands and seal of the Town this 11<sup>th</sup> day of August 2015, A.D.

BOARD OF SELECTMEN  
TOWN OF ROCKPORT

*Erin M. Battistelli, Chairperson*

*Paul F. Murphy, Vice Chair*

*Eliza N. Lucas, Member*

*Wilhelmina Sheedy Moores, Member*

*Sarah J. Wilkinson, Member*

# TOWN MEETING VOTERS BOOKLET

## FTM ARTICLES, MOTIONS & SUMMARIES

### ARTICLE A

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**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)**

### MOTION

I move that the Town appropriate and transfer from the Tax Possessed Land Legal Fees account the following sums to pay unpaid bills from the previous fiscal year and as listed on page 20 of the *Fall Town Meeting Voters Booklet*.

Amount	Unpaid Bill	Transfer From
\$ 623.80	Guisti, Hingston & Company	Tax Possessed Land Legal Fees Account
\$ 1,340.13	Medicompts, Inc.	Tax Possessed Land Legal Fees Account
\$ 114.41	Smith Hardware & Lumber	Tax Possessed Land Legal Fees Account
\$ 5,925.60	McLean Hospital	School Choice Revolving Account

### SUMMARY EXPLANATION

This article allows for payment of bills from previous fiscal years. It is a standard Fall Town Meeting article that gives Town Meeting the opportunity to authorize payment of any bills from a prior fiscal year that were received after the yearend deadline.

### ARTICLE B

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**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 4, 2015 Annual Town Meeting or to reduce appropriations made thereunder; or act on anything relative thereto. (majority vote)**

### MOTION

I move that the Town amend the votes taken under Articles 5, 5A, 5B, 6, 6A, and 6B of the April 4, 2015 Annual Town Meeting by transferring the sums set forth in the *Fall Town Meeting Voters Booklet* for Article B Motion on page 20 and 21 in the amounts and for the purposes specified therein, including the transfer of the unexpended balance of \$110,000 initially borrowed to finance the Data Center Improvements project under Article 6 of the April 5, 2014 Annual Town Meeting, that is now complete, and for which no further liability remains, the balance of \$12,975.25 to the Computer Equipment Capital account to pay costs associated with replacing computer network servers.

# TOWN MEETING VOTERS BOOKLET

Amount	To	From
\$ 3,600.00	Conservation Commission Clerk Wages	Sick Leave Buyback Account
\$ 1,500.00	CPC Meeting Support Clerk Wages	CPC Administrative Expenses Account
\$ 500.00	Harbor Advisory Meeting Support Clerk	Tax Possessed Land Legal Fees Account
\$ 1,200.00	Finance Committee Meeting Support Clerk	Tax Possessed Land Legal Fees Account
\$ 465.64	Zoning Board Meeting Support Clerk	Tax Possessed Land Purchase of Services
\$ 4,000.00	Finance Committee Reserve Fund	CPC Undesignated Reserve Account
\$66,993.00	Accounting Purchase of Services Account	Town Accountant Salary Account
\$ 5,600.00	Human Resources Operating Expenses	Human Resources Assistant Wages
\$ 4,600.00	DPW Parks Maintenance Account	Group Health Insurance Account
\$ 2,000.00	DPW Graffiti Removal Account	Tax Possessed Land Legal Fees Account
\$12,975.00	IS&T Computer Equipment Capital Account	Data Center Capital Account
\$ 2,231.00	IS&T Computer Equipment Capital Account	Fire Station Roof Capital Account
\$ 8,755.96	Harbormasters Float Maintenance Account	Waterways Fund

**SUMMARY EXPLANATION**

The operating and capital budgets were projected and voted last April which was five months ago. Now that more actual expenses are known, this article allows for account line transfers from accounts where the funds are not needed to accounts where they are needed without increasing the budgets. The Special Town Meeting next April will provide one last opportunity to make such transfers before the end of the fiscal year. This motion also asks for a transfer of \$4,000 from CPC funds back to the Finance Committee Reserve Fund. This is a one-time transfer to return emergency funding from the Reserve Fund which was required in order to set up a payroll account for the part-time Meeting Support Clerk that was previously paid from general CPA Administration funds.

**ARTICLE C**

**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)**

**MOTION**

I move that the Town hear and receive the report of the Community Preservation Committee.

# TOWN MEETING VOTERS BOOKLET

## SUMMARY EXPLANATION

This is a standard article that allows the Community Preservation Committee (CPC) to make its recommendations to Town Meeting for the use of monies from the Community Preservation Fund.

## ARTICLE D

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**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 FY2016 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;***

## MOTION

I move that \$53,900 be transferred from FY15 Estimated Annual Revenues of the Community Preservation Fund to the Community Preservation Fund Community Housing Reserve Account.

## SUMMARY EXPLANATION

This article asks Town Meeting to appropriate 10% of the funds received from the CPA surtax into a reserve account designated for Community Housing. This is the minimum appropriation required by law.

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

## MOTION

I move that \$53,900 be transferred from FY15 Estimated Annual Revenues of the Community Preservation Fund to the Community Preservation Fund Open Space/Recreation Reserve Account.

## SUMMARY EXPLANATION

This article asks Town Meeting to appropriate 10% of the funds received from the CPA surtax into a reserve account designated for Open Space and Recreation. This is the minimum appropriation required by law.

# TOWN MEETING VOTERS BOOKLET

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

## MOTION

I move that \$53,900 be transferred from FY15 Estimated Annual Revenues of the Community Preservation Fund to the Community Preservation Fund Historic Preservation Reserve Account.

## SUMMARY EXPLANATION

This article asks Town Meeting to appropriate 10% of the funds received from the CPA surtax into a reserve account designated for Historic Preservation. This is the minimum appropriation required by law.

## ARTICLE E

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**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, \$25,000 to be expended under the oversight of the Department of Public Works and the Granite Pier Committee, working with the Community Preservation Committee, for preparation of professional engineering or architectural plans incident to a study of the feasibility to build a staircase for access between the upper and lower levels of Granite Pier and;**

## MOTION

I move that \$25,000 be appropriated and transferred from the Community Preservation Open Space and Recreation Reserve account and expended under the oversight of the Granite Pier Committee, working with the Community Preservation Committee, for the restoration, rehabilitation, and preservation of Granite Pier for the Granite Pier Staircase Study, which may include the preparation of professional engineering or architectural plans incident to a study of the feasibility to build a staircase for access between the upper and lower levels.

## SUMMARY EXPLANATION

This article asks Town Meeting to appropriate \$25,000 from the Community Preservation Open Space and Recreation reserve account to develop a plan to improve the use of Granite Pier for recreation and commercial purposes by providing a staircase between the upper and lower levels. Granite Pier is used by fishermen, boaters and sightseers.

# TOWN MEETING VOTERS BOOKLET

***Second, \$30,000 to be expended under the direction of the Director of Public Works working with the Community Preservation Committee, for the replacement, restoration, rehabilitation, and/or preservation of exterior painting of the Community House;***

## MOTION

I move that \$30,000 be appropriated and transferred from the Community Preservation Historic Preservation Reserve account and expended under the direction of the Director of Public Works and the DPW Commissioners, working with the Community Preservation Committee, for the restoration, rehabilitation, and preservation of the Community House for exterior painting services.

## SUMMARY EXPLANATION

This article asks Town Meeting to appropriate \$30,000 from the Community Preservation Historic Preservation reserve account for exterior work and painting of the Community House. The age of the building necessitates considerable preparation before painting can be done and the Community Preservation Committee has determined that the work is not routine maintenance.

***Third, \$50,000 to be expended under the direction of the Thacher and Straitsmouth Islands Committee working with the Community Preservation Committee, for the replacement, restoration, rehabilitation, and/or preservation of the Straitsmouth Island Keepers House;***

## MOTION

I move that \$50,000 be appropriated and transferred from the Community Preservation Historic Preservation Reserve account to a Straitsmouth Island Keepers House account, to be expended by the Thacher and Straitsmouth Islands Committee, working with the Community Preservation Committee for the restoration, rehabilitation, and/or preservation of the Straitsmouth Island Keepers House.

## SUMMARY EXPLANATION

This article asks Town Meeting to appropriate \$50,000 from the Community Preservation Historic Preservation reserve account for the restoration and preservation of the Straitsmouth Island Keeper's House. This building is an historic structure and a landmark. The Islands Committee has been aggressive in obtaining grants and finding other funding sources to preserve this building.

# TOWN MEETING VOTERS BOOKLET

***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;***

## MOTION

I move that \$75,000 be appropriated from the Community Preservation Undesignated Fund Balance 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.

## SUMMARY EXPLANATION

This article asks Town Meeting to appropriate \$75,000 from the Community Preservation Undesignated Fund Balance to help fund the Action, Inc. Rental/Mortgage Assistance Program. This program is limited to one year per individual and helps Rockport citizens who are experiencing financial difficulties to stay in their rented or mortgaged homes on a short term basis while they work to recover from their economic challenges.

***Fifth, \$132,046 as a grant to the Rockport Congregational Church, under the supervision of the Board of Selectmen working with the Community Preservation Committee, for the historic restoration, rehabilitation, and/or preservation of the Congregational Church building steeple;***

## MOTION

I move that \$132,046 be appropriated and transferred from the Community Preservation Undesignated Fund Balance account as a grant to the Rockport Congregational 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 Congregational Church steeple, and to authorize the Board of Selectmen to acquire any appropriate preservation restriction relative thereto.

## SUMMARY EXPLANATION

This article asks Town Meeting to appropriate \$132,046 from the Community Preservation Undesignated Fund Balance for restoration and preservation of the Congregational Church

# TOWN MEETING VOTERS BOOKLET

steeple. The Old Sloop is an historic building and a Rockport landmark. The church will contribute half the costs of restoration.

***Sixth, \$38,525 to be expended under the direction of the Superintendent of Schools working with the Community Preservation Committee, for restoration, rehabilitation, and/or preservation of the Elementary School Outdoor Basketball Courts;***

## MOTION

I move that \$38,525 be appropriated and transferred from the Community Preservation Open Space and Recreation Reserve account and expended under the direction of the Superintendent of Schools, working with the Community Preservation Committee, for the restoration, rehabilitation, and/or preservation of the Elementary School Outdoor Basketball Courts.

## SUMMARY EXPLANATION

This article asks Town Meeting to appropriate \$38,525 from the Community Preservation Open Space and Recreation Reserve for restoration of the School Basketball Courts. These courts are used extensively by the public as well as by students.

***Seventh, \$26,950 for administrative expenses of the Community Preservation Committee from July 1, 2015 through June 30, 2016, including but not limited to appraisals, land surveys, copying, postage, legal notices and other costs;***

## MOTION

I move that \$22,950 be appropriated and transferred from the FY16 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, meeting support, and other costs from July 1, 2016 through June 30, 2017.

## SUMMARY EXPLANATION

This article asks Town Meeting to appropriate 5% of the funds received from the CPA surtax into the annual operating budget for Community Preservation administrative costs. This is the maximum appropriation allowed by law.

# TOWN MEETING VOTERS BOOKLET

## ARTICLE F

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**To see if the Town will vote to appropriate by transfer the sum of \$95,000 from the Watershed Protection account back to the Community Preservation Committee's Open Space Reserve account to return the unused balance to the CPC that was originally appropriated under Article D, *Third* of the September 8, 2008 Fall Town Meeting; or act on anything relative thereto. (*Community Preservation Committee*) (*majority vote*)**

### MOTION

I move that the Town transfer the sum of \$95,000 from the Watershed Protection account to the Community Preservation Committee's Open Space Reserve account, to return the unused balance that was originally appropriated under Article D, *Third* of the September 8, 2008 Fall Town Meeting.

### SUMMARY EXPLANATION

After the need for CPA funds is satisfied, any remaining balance is returned to one of the Community Preservation Reserve accounts to be re-appropriated to other approved projects and uses.

## ARTICLE G

---

**To see if the Town will vote to raise and appropriate or appropriate by transfer from the Parking Meter Fund to the Meter Maintenance account, the sum of \$10,655 to pay for the annual hosting and credit card processing fees; or act on anything relative thereto. (*Traffic and Parking*) (*majority vote*)**

### MOTION

I move that the Town transfer the sum of \$10,655 from the Parking Meter Fund to the Parking Meter Maintenance account to pay for parking meter collection processing.

### SUMMARY EXPLANATION

With the advent of parking meters that offer the convenience of using credit cards to people who don't wish to carry coins with them to feed meters, there are costs associated with the handling those receipts and submissions to the applicable credit card companies that did not exist until recently. This article asks that the Town transfer some of the receipts from the parking meters to the budget expense account to pay the processing fees.

## ARTICLE H

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**To see if the Town will vote to appropriate the unexpended funds initially borrowed to finance capital School Treads, Landings, and Ramps project that is now complete,**

# TOWN MEETING VOTERS BOOKLET

**and for which no further liability remains, the unexpended balance of \$33,657 from Article 6 of the April 6, 2013 Annual Town Meeting, to a School Carpeting Replacement Capital account to pay costs of replacing carpeting in the schools; or act on anything relative thereto. (Educational Services Department) (majority vote)**

## MOTION

I move that the Town vote to appropriate the unexpended balance of \$68,200 initially borrowed to finance the School Treads, Landings, and Ramps project under Article 6 of the April 6, 2013 Annual Town Meeting, that is now complete, and for which no further liability remains, the balance of \$33,657 to a School Carpeting Replacement Capital account to pay costs of replacing carpeting in the schools.

## SUMMARY EXPLANATION

After the completion of the project that replaced stair tread, landings, and hallway ramps at the schools, there was a balance remaining that this article is asking for approval to use to replace some of the schools' badly worn carpeting.

## ARTICLE I

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**To see if the Town will vote to raise and appropriate, appropriate by transfer from available funds, or borrow a sum of money to make emergency repairs to the Harbormaster and Public Restroom facility at 3 T-Wharf; and if such funds are borrowed, to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow said funds under G.L. Chapter 44, Section 7 or any other enabling authority; or act on anything relative thereto. (Department of Public Works) (majority vote, 2/3, if borrowed)**

## MOTION

I move that the Town appropriate and transfer the sums of \$35,948 from the Essex Regional Retirement Assessment account and \$6,052 from the Group Health Insurance account to a Harbormaster/Public Restrooms Facility Repairs Capital Account to pay for emergency repairs to the Harbormaster/Public Restrooms Facility.

## SUMMARY EXPLANATION

This article asks Town Meeting to transfer \$42,000 for repairs to the east side and roof of the Harbormasters Office and Public Restroom facility on T-Wharf because of damages sustained by winds and rain contributing to water seepage and leaks in the building.

# TOWN MEETING VOTERS BOOKLET

## ARTICLE J

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**To see if the Town will vote to raise and appropriate, appropriate by transfer from available funds, or borrow a sum of money to make necessary repairs to the Library Building to stop leaks; and if such funds are borrowed, to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow said funds under G.L. Chapter 44, Section 7 or any other enabling authority; or act on anything relative thereto. (Department of Public Works) (majority vote, 2/3, if borrowed)**

## MOTION

I move that the Town appropriate and transfer the sum of \$20,000 from the Old Police Station Roof account to a Library Building Repairs Capital account to pay for necessary repairs to the Library building.

## SUMMARY EXPLANATION

This article asks Town Meeting to transfer \$20,000 for repairs to the Library's mortared granite exterior as a result of leaks sustained during storm events.

## ARTICLE K

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**To see if the Town will vote to raise and appropriate, appropriate by transfer from available funds, or borrow a sum of money to purchase a Sidewalk Tractor and Attachments for snow removal; and if such funds are borrowed, to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow said funds under G.L. Chapter 44, Section 7 or any other enabling authority; or act on anything relative thereto. (Department of Public Works) (majority vote, 2/3, if borrowed)**

## MOTION

**NO MOTION**

## ARTICLE L

---

**To see if the Town will vote to raise and appropriate, appropriate by transfer from available funds, or borrow a sum of money to purchase a DPW Sanding and Plow Truck for snow removal; and if such funds are borrowed, to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow said funds under G.L. Chapter**

# TOWN MEETING VOTERS BOOKLET

**44, Section 7 or any other enabling authority; or act on anything relative thereto. (Department of Public Works) (majority vote, 2/3, if borrowed)**

MOTION

**NO MOTION**

ARTICLE M

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**To see if the Town will vote to raise and appropriate, appropriate by transfer from available funds, or borrow a sum of money to pay for the cost of improvements to the Highway Garage ventilation system; and if such funds are borrowed, to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow said funds under G.L. Chapter 44, Section 7 or any other enabling authority; or act on anything relative thereto. (Department of Public Works) (majority vote, 2/3, if borrowed)**

MOTION

I move that the Town appropriate and transfer the sum of \$10,000 from the Library Floor Sewerage Repairs account to a DPW Facility Ventilation Improvements Capital account to pay for DPW garage ventilation improvements.

SUMMARY EXPLANATION

This article asks Town Meeting to transfer \$10,000 of unused funds after repairs were made to the Library floor to an account to make improvements to the existing ventilation system in the DPW garage. Currently the ventilation is inadequate and poses a health and safety hazard to employees working in the facility.

ARTICLE N

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**To see if the Town will vote to appropriate by transfer a sum of money from the Infiltration & Inflow Reserve Fees to the Sewer Lining & Repairs capital account for additional funding for the Sewer Lining & Repairs Project. (Department of Public Works) (majority vote)**

MOTION

I move that the Town transfer the sum of \$75,000 from the Inflow and Infiltration Reserve account to an Inflow and Infiltration Capital account to fund a storm water inflow and infiltration project.

# TOWN MEETING VOTERS BOOKLET

## SUMMARY EXPLANATION

This article asks Town Meeting to transfer \$75,000 from the I&I Reserve account to perform repairs to the existing sewer system in order to decrease inflow and infiltration of ground and storm water into the system.

## ARTICLE O

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**To see if the Town will vote to raise and appropriate, appropriate by transfer from available funds, or borrow a sum of money to make necessary repairs to the Back Beach Revetment; and if such funds are borrowed, to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow said funds under G.L. Chapter 44, Section 7 or any other enabling authority; or act on anything relative thereto. (Department of Public Works) (majority vote, 2/3, if borrowed)**

## MOTION

I move that the Town appropriate the sum of \$150,000 to a Back Beach Revetment Repairs Capital account to pay for repairs to the Back Beach Revetment, that to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen is authorized to borrow \$150,000 under G.L. Chapter 44, section 7(33) or any other enabling authority and issue bonds and notes therefor; and that the Board of Selectmen and the DPW Commissioners are authorized to take any other action necessary or convenient to carry out this project.

## SUMMARY EXPLANATION

This article asks Town Meeting to authorize the Town Treasurer to borrow up to \$150,000 as needed for repairs to the Back Beach Revetment that has taken several serious storm surges that have weakened and damaged this Beach Street area protective structure.

## ARTICLE P

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**To see if the Town will vote to authorize the Board of Selectmen to grant, on behalf of the Town, on such terms and conditions and for such duration as the Selectmen deem appropriate, permanent access and electric easements and temporary construction easements in, on, and under portions of the Town-owned parcels of land shown on Assessors Map 11 as Parcels 21B and 22 and described in deeds recorded with the Essex South District Registry of Deeds in Book 4955, Page 42 and Book 2997, Page 268, which portions are shown more particularly on a plan entitled "Rockport Layover**

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**Facility Power Upgrade Contract No. J62CN01” prepared by Nitsch Engineering, dated June 30, 2015, and a plan entitled “Rockport Layover Facility Power Upgrade Contract No. W9CNXX” prepared by Nitsch Engineering, dated June 19, 2015, which plans are on file with the Town Clerk, said easements to be granted to the Massachusetts Bay Transportation Authority for the aforesaid purposes, including, without limitation, the construction and maintenance of a power distribution duct bank, conduits and appurtenances, and reconstruction of a parking lot; or act on anything relative thereto. (Department of Public Works) (majority vote)**

## MOTION

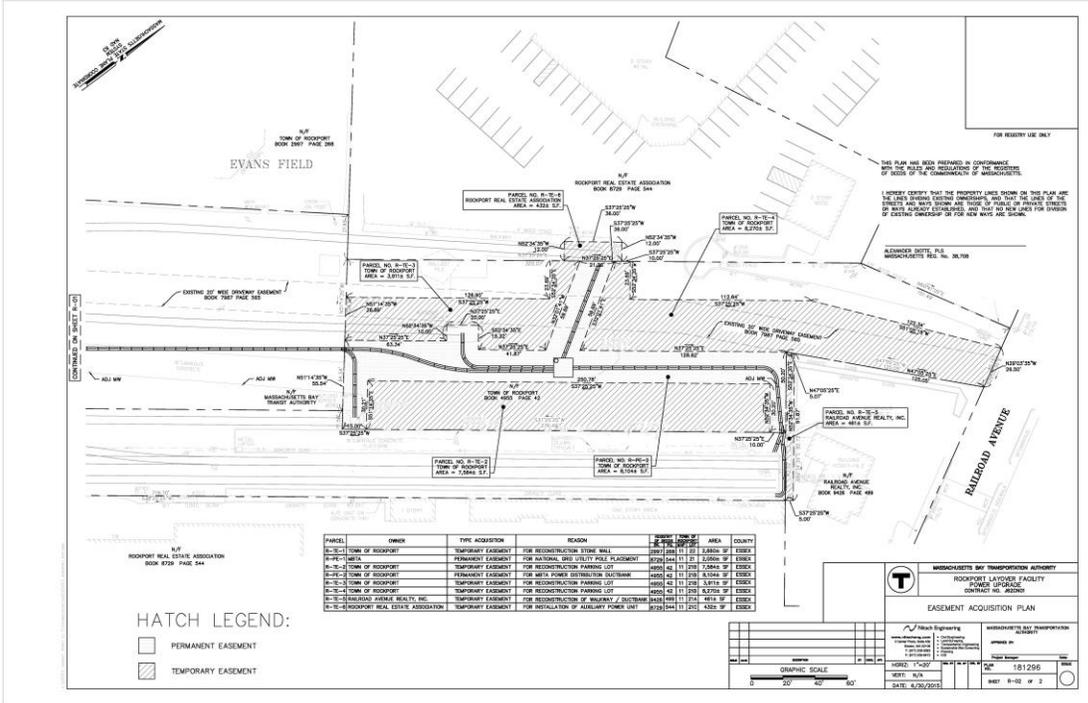
I move that the Town authorize the Board of Selectmen to grant, on behalf of the Town, on such terms and conditions and for such duration as the Selectmen deem appropriate, permanent access and electric easements and temporary construction easements in, on, and under portions of the Town-owned parcels of land shown on Assessors Map 11 as Parcels 21B and 22 and described in deeds recorded with the Essex South District Registry of Deeds in Book 4955, Page 42 and Book 2997, Page 268, which portions are shown more particularly on a plan entitled “Rockport Layover Facility Power Upgrade Contract No. J62CN01” prepared by Nitsch Engineering, dated June 30, 2015, and a plan entitled “Rockport Layover Facility Power Upgrade Contract No. W9CNXX” prepared by Nitsch Engineering, dated June 19, 2015, which plans are on file with the Town Clerk, said easements to be granted to the Massachusetts Bay Transportation Authority for the aforesaid purposes, including, without limitation, the construction and maintenance of a power distribution duct bank, conduits and appurtenances, and reconstruction of a parking lot.

## SUMMARY EXPLANATION

This article authorizes the Board of Selectmen to grant easements to the MBTA for their Layover Facility Power Upgrade Project at the station on Railroad Avenue.

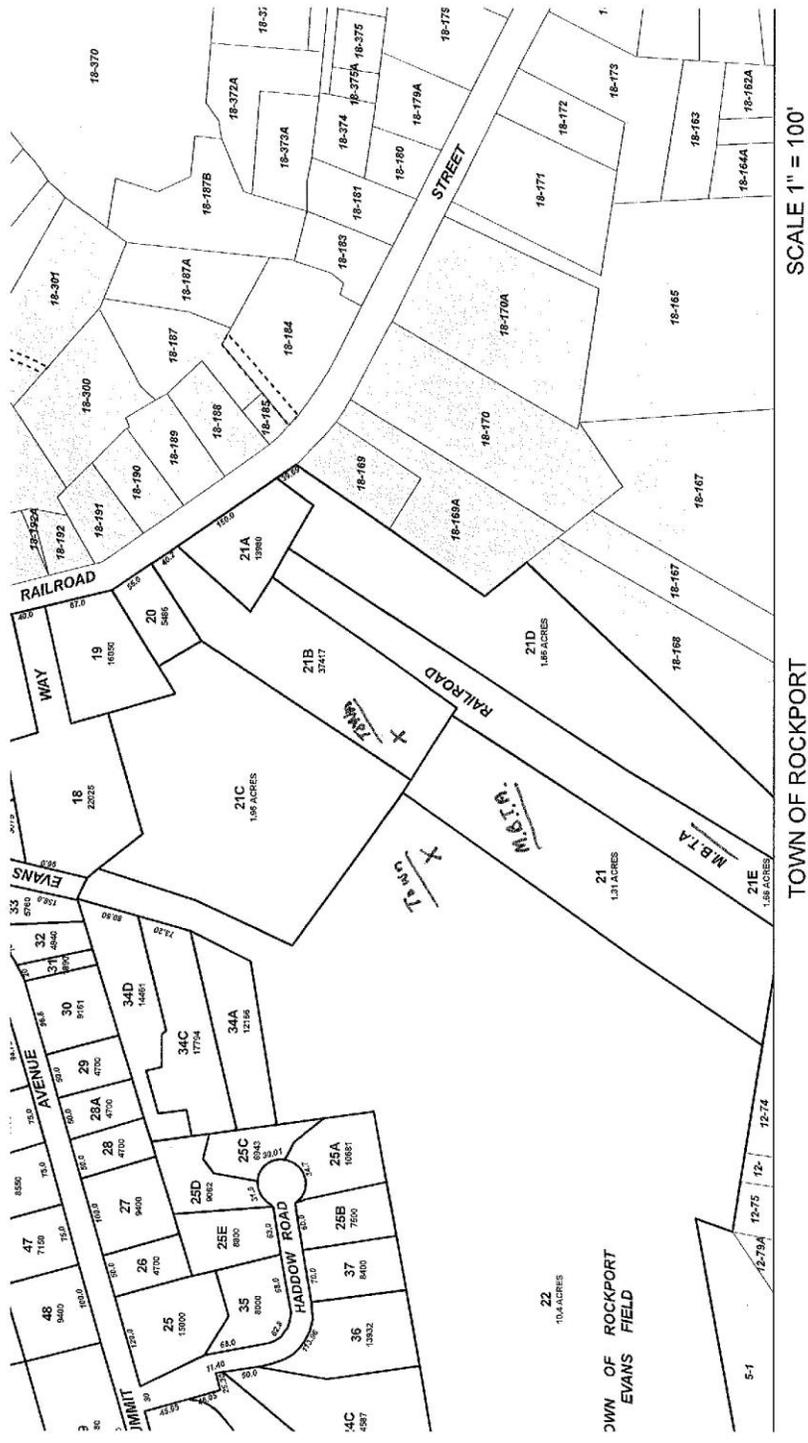


# TOWN MEETING VOTERS BOOKLET



Rockport Layover Facility Power Upgrade Contract No. W9CNXX  
 Nitsch Engineering  
 June 19, 2015

# TOWN MEETING VOTERS BOOKLET



Rockport Board of Assessors Map 11

# TOWN MEETING VOTERS BOOKLET

## ARTICLE Q

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To see if the Town will vote to amend the Zoning By-Laws by adding the following new section under the existing Section IV, Area and Dimensions Regulations, to be designated as Section IV. A. 11:

### **"11. RESIDENTIAL DWELLINGS**

- d. **Objective:** To control the effect of increasing scale and density of residential dwellings in Rockport's neighborhoods.
- e. **Applicability:** SR-AA (Single Residential AA), SR (Single Residential), RA (Residential A), and R (Residential) Zoning Districts.
- f. **Floor Area and Side Setbacks:**
  - 1) On a lot of 2 acres or less, the total gross floor area of all residential dwellings and accessory buildings on the lot shall not exceed 7,000 sq. ft. total gross floor area (GFA).
  - 2) The total GFA of residential dwellings (including accessory buildings) on a lot of two acres or less shall not exceed 175% of the mean GFA of the residential dwellings and accessory buildings on the abutting properties. "Abutting properties" shall mean, for the purposes of this section, only those properties whose owners would be entitled to notice as "parties in interest" under M.G.L. Chapter 40A, Section 11 and are within 50 feet of the subject property boundary.
  - 3) Residential single, two family and multiples dwellings, accessory buildings, and townhouses shall have the following side setbacks:
    - i. 20 ft. - for buildings with 4000 - 5999 sq. ft. GFA
    - ii. 25 ft. - for buildings with greater than 6000 sq. ft. GFA

#### **Notes:**

- a) For purposes of Section IV.A.11, basement space shall be excluded from the computation of GFA.
- b) Garages and out-buildings (non-living space) added by special permit if total or gross area of all structures exceeds 7000 sq. ft. "Non-living space" shall be defined as space in garages and out-buildings used or intended for storage of vehicles, lawnmowers, boats, motors, snowmobiles, and accessory equipment. Space in attics having a height of 7 feet or greater is

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**defined as “living space” whether or not it is currently being used as living space and is considered a part of GFA.**

- c) Parcels with adequate area for a secondary dwelling as defined under Section III.B,1., E will be exempt from the 175% limitation on GFA when applying for the construction of a secondary dwelling.” (Planning Board) (2/3 vote)**

## MOTION

I move that the Town amend the Zoning By-Laws Section IV entitled “Area and Dimensions Regulations’ by inserting a new Section IV.A.11. as printed in the Warrant and as presented on pages 36 and 37 of the Fall Town Meeting Voters Booklet.

## SUMMARY EXPLANATION

This article asks Town Meeting to change the Zoning By-Laws to limit the size of residential dwellings to 7,000 square feet gross floor area (GFA) on a parcel of two acres or less. It will also limit the size of a new or renovated residential dwelling to 175% of the GFA of abutters within fifty feet. Additionally, this By-Law will increase side setbacks to twenty feet for new residential dwellings of 4,000 to 5,999 GFA and to twenty-five feet for new dwellings greater than 6,000 GFA.

## REPORT OF THE PLANNING BOARD

Article Q is the result of observations of abutters, other town residents, and Planning Board members with regard to the size of some new residences throughout Rockport. Upon consideration of these observations, the Planning Board concluded that the current zoning by-laws are not adequate to control the size of new and renovated dwellings in relation to the size of abutting structures. The Planning Board concluded that the possible effect of the size of some dwellings built in the last ten years on the density and charm of Rockport is an observation that all residents of Rockport should seriously consider before the possible change in character becomes irreversible. Consequently, the Planning Board developed Article Q to address the possible effects of some new dwellings on the neighborhoods in Rockport.