



## Town of Rockport, Maine

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### Rockport Select Board

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July 24, 2024

Via email  
Camden Select Board

Dear Camden Select Board members:

As you may know, our town governments have spent significant time over the last several years discussing wastewater matters. Following the recent vote in Rockport, we wanted to reach out to you on three issues, using this as a first step for moving forward to hopefully set the stage for productive conversations between our two towns in the months and years ahead.

1. **Committee to Work with Rockport.** As you are no doubt aware, Rockport's voters voted to have us establish a committee to explore possible avenues of collaboration with Camden on wastewater matters. This committee is tasked to report back to us prior to March 2025 so that we can place any recommendations from this committee on the June ballot. While we know that there was not a similar ballot initiative in Camden, we hope that you would consider establishing a companion committee that would work with the Rockport group. Attached to this letter is a copy of the charge we have adopted for this group's work to provide some context for you.
2. **Wastewater Allowance.** Just after the June vote, we received word from federal officials that Rockport was being considered for a \$2 million grant if we could show that a proposal to extend our system along Route 90 (from the high school to Route 17) was feasible. This project would not increase Rockport's wastewater flow to Camden above its historically allocated amount (161,000 gallons per day). We recently became aware that the federal officials reached out to Camden staff to explore whether sufficient capacity could be provided to Rockport for the extension. We understand that the Camden response was positive, and we're grateful if that's the case. This position is consistent with other information we received (no direct discussions with us) during the public discussion over our plan to build our own wastewater facility. If indeed this is the case, we would like to explore how we can work with Camden and the federal officials to clarify this. If we have misunderstood the current situation, we would nevertheless appreciate an opportunity to clarify the standard to which we must hold our plans for any future development.
3. **Lawsuit Resolution.** Lastly, is the matter of the still pending lawsuit. As we confirmed late last year, the Town of Rockport has paid in full all amounts owed by Rockport under the lawsuit, including interest and late payment charges during that period. We believe dismissal of the lawsuit is appropriate under these circumstances but are happy to discuss this further if we've missed something.

While there remains a charge for late fees attributable to a lost check received by Camden in March 2023, and replaced at Camden's request in September 2023, we assume these late fees are an administrative oversight. However, they are still reflected in the Maine Water spreadsheet.

Separate from the lawsuit are additional amounts unpaid on Camden's 2023-24 fiscal year sewer billing to Rockport which reflects the rate quoted to Rockport by Camden staff for use in our 2023-24 wastewater budget. This quoted rate reduction of 15% was the result of a mediated settlement between Camden and Rockport and subsequently confirmed by Camden staff in July 2024. Rockport set its budget and billed its wastewater customers for the past year accordingly. However, with the first invoice in that fiscal year, Camden billed the full rate via Maine Water, while Rockport paid the 15% discounted rate as quoted by Camden staff. The difference between the Camden billed amount and the Rockport 15% discount payment is \$68,363.35, which includes late fees associated with this issue. We welcome your thoughts on how best to resolve this.

While we believe a meeting with our respective members would be the best way to explore the above issues and opportunities to collaborate, we appreciate the scheduling difficulties such a meeting presents, especially during our busy summers. This letter is intended to be a first step in that process and perhaps provide some background and information on our complicated wastewater history. If you believe a joint meeting would be a good next step forward, we would be happy to work with you in scheduling such a meeting.

Sincerely,

A handwritten signature in black ink that reads "Denise Munger, Chair". The signature is written in a cursive, flowing style.

On behalf of the Rockport Select Board



## **Bylaws of the Wastewater Exploratory Task Force of the Town of Rockport, Maine**

### **Mission Statement:**

The Task Force is formed to study the costs and benefits of a collaborative approach for improving wastewater treatment systems in the Towns of Rockport and Camden, including a municipal utility district, and the task force shall report its findings to the Select Board prior to the 2025 Rockport Town Meeting, such that any recommendations that need voter approval can be placed on the 2025 Town Meeting ballot. The Task Force work shall be governed by the following guiding principles:

- **Fair Price:** Sewage treatment must be available for a fair price to all residents who use the sewer system in Rockport.
- **Sufficient Treatment Plant Capacity:** Additional wastewater treatment plant capacity must be available, thus preserving or expanding Rockport's ability to pursue economic development (*e.g.*, workforce housing or commercial business expansion).
- **Business Model Innovation:** Look for innovative ways to develop a business structure and financial solution that is consistent with these guiding principles. That shall include the concept of a Municipal Utility District (MUD) for both towns (and perhaps include Rockland) or having a new plant in Rockport accept flows currently sent to Camden (*e.g.*, the landfill) to relieve stress on their plant. Nothing should be eliminated from consideration.

In addition, Article 15 provides for having a report prior to June 2025 Town Meeting. The issue of wastewater treatment is of critical importance to the Town of Rockport and its future, so it will be important to have monthly updates from the Task Force so the Town can continue to evaluate what is in the best interests of all residents, along the lines of the following:

The task force shall provide monthly status reports to the Board. If the Camden Select Board has not established a committee with a similar mission and at least one meeting of the two groups has not occurred by September 9, 2024, that information shall be reported to the Rockport Select Board and the Board will consider options to protect the interests of its residents. If Camden does establish a similar task force, the final report of the Rockport

Wastewater Exploratory Task Force shall be provided to the Rockport Board by the March 10, 2025, Select Board meeting, prior to the 2025 Rockport Town Meeting, to allow for potential voter consideration of the Task Force recommendations.

### **Section 1. Purpose**

The purpose of these bylaws is to establish reasonable rules of procedure for task force meetings and to promote the fair, orderly and efficient conduct of the task force's proceedings and affairs in accordance with the mission statement. These bylaws shall govern the task force's practices and procedures except as otherwise provided by law and shall be liberally construed to accomplish their purpose.

The task force's work shall be in service to the direction provided by the Select Board in the task force's creation. Should the work of the task force extend beyond one year, the task force shall develop a workplan for all tasks remaining to complete the task force's work.

### **Section 2. Officers**

Officers of the Committee shall consist of a Chair, Vice Chair and Secretary to be chosen annually at the first regular meeting in each fiscal year by and from among task force members unless otherwise provided by law. The Chair shall preside at all task force meetings and shall have authority to rule on questions of procedure, to maintain order and determine their course of proceedings, and to take such other action as may be necessary and consistent with these bylaws or other laws to enable the task force to perform its duties and conduct its affairs.

The Chair also shall set the agenda for each meeting. In the absence of the Chair, the Vice-Chair shall preside and shall have the same authority as the Chair. The Secretary shall maintain a permanent record of all task force meetings on a committee report.

### **Section 3. Meetings**

Regular meetings of the task force shall be held. Special meetings may be called at the discretion of the Chair or upon request by a quorum of the Committee, provided, however, that notice thereof shall be given to each member at least 48 hours in advance.

Notice of all task force meetings shall be given as required by law, and all such meetings shall be open to the public except as otherwise provided by law.

No business may be conducted by the task force except at a duly called and noticed meeting or without a quorum.

Committee reports, or meeting minutes, shall be recorded and publicly available.

If the task force chooses to adopt a Remote Participation Policy, meetings of the task force may not be held with remote components (video conferencing or conference call), *in full or in part*, until the policy has been adopted following a public hearing.

### **Section 4. Voting**

Any action of the task force shall require an affirmative vote of a majority of those present and able to vote.

No member may participate or vote in any matter in which the member has a conflict of interest or other disqualification as defined by law. Any question of whether a member has a conflict of interest or other disqualification shall be decided by a majority vote of the remaining members.

All members who are present and not disqualified as provided herein shall vote in every matter to be voted upon unless excused by the Chair for compelling cause shown.

### **Section 5. Waivers; Amendments**

These bylaws, or any provision thereof, may be waived but only if they remain consistent with applicable law. These bylaws may be amended at any time in writing by majority vote of the task force after notice on the proposed amendment but shall not be effective until approved by the Select Board.

#### **Adopted by the Rockport Voters on June 11, 2024**

Article 15 - "Do you favor requiring the Rockport Select Board to appoint an advisory committee to study the costs and benefits of a collaborative approach for improving wastewater treatment systems in the Towns of Rockport and Camden, including a municipal utility district, and to have such committee report findings to the Board prior to the 2025 Rockport Town Meeting and prior to funding the construction of a new wastewater treatment plant?"